

Article 4. Zoning Districts

4.1 Establishment of Districts

For the purpose of this Unified Development Ordinance (UDO), portions of the City, as specified on the Official Zoning Map of the City are hereby divided into the following zoning districts:

BASE ZONING DISTRICTS	
Residential Zoning Districts	
A-O	Agriculture-Open Space
R-E	Residential Estate
RS-8	Residential Single-Family
RS-5	Residential Single-Family
RM-9	Residential Two-Family
RM-12	Residential Townhouse
RM-18	Residential Multifamily
RM-24	Residential Multifamily
R-MH	Manufactured Home Park
Commercial Zoning Districts	
C-N	Commercial Neighborhood
C-O	Commercial Office
C-C	Commercial Corridor
C-G	Commercial General
C-H	Commercial Heavy
Industrial Zoning Districts	
M-1	Light Industrial
M-2	Heavy Industrial
Special Purpose Zoning Districts	
WPC	Wolf Pen Creek
BP	Business Park
NG-1	Historic Northgate
NG-2	Commercial Northgate
NG-3	Residential Northgate
Overlay Zoning Districts	
C-U	College and University
PDD	Planned Development District
OV	Corridor Overlay District

4.2 Official Zoning Map

- A.** The City is hereby divided into the above zoning districts, as shown on the Official Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this UDO. The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Secretary and bearing the Seal of the City of College Station under the following words:

"This is to certify that this is the Official Zoning Map referred to in Section 4.2 of Ordinance No. of the City of College Station, Texas."

- B.** If, in accordance with the provisions of this Ordinance and Section 211.006 of the Texas Local Government Code, as amended, changes are made in the district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map, promptly after the amendment has been approved by the City Council and signed by the Mayor.
- C.** Approved zoning changes shall be entered on the Official Zoning Map by the Administrator and each change shall be identified on the Map with the date and number of the Ordinance making the change. No amendment to this UDO which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.
- D.** No change of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with procedures set forth in this UDO. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under Section 10.2 of this ordinance.
- E.** Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be located in the office of the City Planning Division, shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the City. The Official Zoning Map shall be available to the public at all hours when the City Hall is open to the public.

4.3 Replacement Of Official Zoning Map

- A.** In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature and/or number of changes and additions, the City Council may, by resolution, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary, and bearing the Seal of the City and date under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of Ordinance No. of the City of College Station, Texas."

- B.** Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

4.4 Rules For Interpretation Of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- 1.** Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
- 2.** Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- 3.** Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- 4.** Boundaries indicated as following railroad lines shall be construed to be midway between the rails of the main line.
- 5.** Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
- 6.** Boundaries indicated as parallel to or extensions of features indicated in Subsections 3.1 through 3.5 above shall be so construed. Distances not specifically indicated in a classification amendment shall be determined by the scale of the map.
- 7.** Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Subsections 3.1 through 3.6 above, the Board of Adjustment shall interpret the district boundaries.

4.5 Application Of District Regulations

A. Uniformity

The regulations set by this UDO within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

1. No person shall initiate any development or construction activity, including site preparation, foundation forming, sign erection, construction, improvement, repair or demolition within a newly annexed area without first applying for and obtaining the appropriate permits or other approvals required by relevant City Ordinances.
2. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.

4.6 Newly Annexed Territory

- A. Any territory hereafter annexed to the City of College Station shall be classified as District A-O, for a period not to exceed one year. If a zone change request is not received by the City within this year the Planning and Zoning Commission shall initiate zone change proceedings.
- B. No person relying on a claim of vested rights shall continue any development activity within a newly annexed area without first applying for and obtaining a Building Permit.
- C. Any person with an interest in property within a newly annexed area may apply to the Administrator for a determination of the vested rights such person has, if any, to continue development activities initiated prior to annexation. Such determinations shall be based upon all pertinent facts, and upon the relevant decisions of state and federal courts. The applicant may submit any written evidence to the Administrator for consideration. The Administrator's written determination, once approved by the City Attorney, shall be final unless duly appealed to the Zoning Board of Adjustment pursuant to Section 3.17 of this Ordinance.
- D. Any final action of the Administrator may be appealed to the Zoning Board of Adjustment pursuant to Section 3.17 of this Ordinance.

4.7 Residential District Purpose Statements

A. Agriculture Open Space (A-O)

This district includes lands within the corporate limits of the City which are not subdivided and are relatively undeveloped. This district is designed to promote orderly, timely, economical growth and to recognize current conditions. It is a reserved area in which the future growth of the City can occur.

NEW
District

B. Residential Estate (R-E)

This district includes lands subdivided for single-family residential purposes and associated uses. The lots are generally large (over 1 acre), and are not served by urban infrastructure. This district is intended to retain a rural character.

C. Residential Single-Family (RS-8 and RS-5)

This district includes lands subdivided for detached single-family residential purposes and associated uses. This district is designed to provide sufficient, suitable residential neighborhoods, protected from incompatible uses, provided with necessary facilities and services.

D. Residential Two-Family (RM-9)

This district contains land which has been subdivided for single-family residential purposes and associated uses as well as larger parcels of property which lend themselves to two-family dwellings. This district is at moderate density. It may be utilized as a transitional zone between low density and other residential uses.

E. Residential Townhouse (RM-12)

This district contains land that provides for single-family residential living in attached units. Such units may be either on individually platted lots or larger parcels containing multiple buildings.

F. Residential Multifamily (RM-18 and RM-24)

This district provides land for development of multifamily units at low and medium densities.

G. Manufactured Home Park

This district contains land that is located, designed and is to be operated as a site for residential uses for HUD-code manufactured homes.

4.8 Commercial District Purpose Statements

A. Commercial Neighborhood (C-N)

This district provides small commercial sites for residential convenience goods and personal service businesses. No use shall be allowed which would adversely affect the health, safety, welfare or residential character of the neighborhood. Uses shall be pedestrian-oriented in character. No outside storage or display of goods or materials shall be allowed.

B. Commercial Office (C-O)

This district provides for offices and related uses. The uses allowed have relatively low traffic generation and require limited location identification. This district serves as a transition between more intense commercial uses and residential areas.

C. Commercial Corridor (C-C)

This district provides for commercial uses along the City's roadway corridors that provide retail sales and services to an area of the City larger than a neighborhood.

D. Commercial General (C-G)

This district is designed to provide a location for general commercial and retail uses which serve the entire community and its visitors.

E. Commercial Heavy (C-H)

This district provides locations for goods and services that primarily serve other commercial and industrial enterprises. In addition, intense commercial uses that are not compatible with general retail are found in this district.

4.9 Industrial Districts Purpose Statements

A. Light Industrial (M-1)

This district is provided for high technological, light manufacturing, non-polluting industries, properly proportioned and designed for aesthetic appeal, with controlled design of plant exteriors and construction materials. Not only site design and layout, but facades, materials, lighting, and apparent architectural aspects of the project are subject to review and approval. All vehicle access shall be paved. The M-1 District may be compatible with adjacent uses in any other district, depending upon the character of the operation and the conditions imposed.

B. Heavy Industrial (M-2)

This district is designed to provide land for manufacturing and industrial activities with generation of nuisance characteristics greater than activities permitted in the C-2 and M-1 zoning districts. Uses within this district are not compatible with residential uses and lower intensity commercial uses.

4.10 Special Purpose Districts

A. District C-U College And University

This district contains lands which are primarily located within the boundaries of the Texas A&M University campus. The district provides for advance consideration and planning by the City for development which might occur in relation to parking, traffic generation and any demands which might be placed on the City's administrative or service functions.

B. District PD Planned Development District

1. That the standards for the maximum floor space permitted and for minimum recreational space, outdoor living space, open space, and parking space requirements are related to a land use intensity rating (LUI). The land use intensity (LUI) for a Planned Unit Development shall relate to the zoning districts. The relationship between ratings and standards are established and are as follows:

LAND USE INTENSITY RATIOS

Zoning District	Max. # of Dwelling Units/Acre	Floor Area (FAR)	Open Space (OSR)	Livability Space (LSR)	Recreation Space (RSR)	Occupant Car (OCR)	Total Car (TCR)
PUD #1	7	.162	.77	.53	.032	1.60	1.80
PUD #2	15	.283	.74	.48	.042	1.20	1.40
PUD #3	50	.696	.69	.40	.070	.84	.99

DEFINITIONS:

Floor Area Ratio (FAR): maximum sq. ft. of total floor area permitted for each square foot of gross land area.

Open Space Ratio (OSR): minimum sq. ft. of open space required for each sq. ft. of gross land area.

Livability Space Ratio (LSR): minimum sq. ft. of non-vehicular open space required for each sq. ft. of gross land area. (Livability space is a part of open space)

Recreational Space Ratio (RSR): minimum sq. ft. of recreation space required for each sq. ft. of gross land area. (Recreational space is a part of livability space)

Total Car Ratio (TCR): minimum number of parking spaces required for each living unit.

Occupant Car Ratio (OCR): minimum number of parking spaces without parking time limits required for each living unit.

2. Stage Construction

- a. The Master development plan shall show all of the development stages and the approximate boundaries of each stage. The final subdivision plat for each succeeding stage shall be submitted at not more than one year intervals.
- b. The common areas and facilities for each development stage must be planned so that each home owner in the original planned unit and in each additional stage will have approximately equal stake and benefit in the homes association's common facilities.

3. Utilities

The method of providing streets and utilities shall be in accordance with the requirements of the Subdivision Regulation Ordinance (Ordinance No. 690), except for the variance as provided for private streets in Section 7.19-E above.

4. Signs

Signs shall be regulated in each land use as established in respective subsections of Section 12.

5. Home Owner Association

A homes association will be required if other satisfactory arrangements have not been made for providing, operating and maintaining common facilities including streets, drives, service and parking areas, common open spaces, and common recreational areas. The incorporation of the homes association must provide for the following:

- a. Establish automatic membership in a non-profit homes association of all lot owners in the P-U-D;
- b. Place title to the common property in the homes association or give definite assurance that it automatically will be so placed within a reasonable, definite time.
- c. Appropriately limit the uses of common property.

- d. Give each lot owner the right to the use and enjoyment of the common property.
- e. Place responsibility with the homes association for: (1) maintenance and operation of the common property; (2) administration of architectural controls; (3) enforcement of covenants; and (4) maintenance of all or part of the exterior improvements of individual properties.
- f. Place an association charge on each lot in a manner which will (1) assure sufficient association funds, and (2) provide adequate safeguards for the lot owners against undesirable high charges.
- g. Provide that a lien shall be placed upon property on which homes association charges are delinquent.
- h. Give each lot owner voting rights in the association.

The homes association incorporation must meet with the approval of the City Attorney and be filed for record with the Brazos County Clerk.

6. Relation of Other City Ordinances and Codes

The provisions of the Housing Code, Building Code, Fire Prevention Code, Plumbing Code and Electrical Code, among other codes and ordinances, are specifically mentioned as applicable to District P-U-D (Planned Unit Development). A building permit for a structure in a Planned Unit Development shall be issued only after the plans for the development have been approved by the Commission. All structures in a Planned Development shall be constructed as shown on the approved plans.

C. District C-P.U.D. Commercial Planned Unit Development

- 1. **Purpose** The purpose of this district is to provide an opportunity for flexible, responsive commercial developments which will:

- a. encourage creative and efficient use of commercial sites;
- b. promote innovative use of modern development concepts; and,
- c. encourage mixed use development.

The Commercial Planned Unit Development District is intended for a combination of three or more different, frequently separated uses, each a significant part of the development. The categories of major uses are office, retail, hotel/motel, restaurants, entertainment and bank/financial institution. The planning and conceptual design of a C-P.U.D. must provide for physical and functional integration of project uses and components. A C-P.U.D. may consist of individually platted lots, but is not intended for traditional shopping centers under a single roof. Area requirements, building setbacks and/or landscaping requirements, may

deviate from established standards if approved by the Planning and Zoning Commission as part of the Development Plan.

2. Submission Procedure

The initial submission by the applicant shall consist of a request for a zone change, a preliminary subdivision plat, and a preliminary development plan. The zone change request and the preliminary plat will follow the established review process through the Commission and City Council. The preliminary development plan will be reviewed by the Project Review Committee only, unless any one voting member of the Committee or the applicant requests a review by the Planning and Zoning Commission. The zone change, if approved by the City Council, will revert to the former zoning if the final plat and final development plan are not approved within twelve months after the date of the zone change request. The final development plan may be approved by the staff if no substantial changes have been made.

3. Development Plans

The developer shall present site and development plans of sufficient detail to meet the following conditions:

- a. Specific uses should be designated on the plans.
- b. The area and/or seating capacity of all uses should be shown.
- c. Every structure must have legal access to a public street, as well as adequate access for emergency vehicles.
- d. Off-street parking shall be provided in accordance with Section 9. Shared parking may be allowed with up to a 25% reduction in the total cumulative requirement in accordance with Table 7-1. Parking easements should cover shared areas.
- e. Each individual use should have a minimum of 75% of its parking requirement within 300 feet of a public entrance which is easily accessible to the public.
- f. Landscaping may be accomplished in common areas if platted and maintained.
- g. The Project Review Committee will review any change in occupancy to determine if adequate parking is available. If any one member of the Committee or the applicant desires, this change will be reviewed by the Commission.
- h. A property owners' association or a management corporation should be established unless other arrangements have been made to insure responsibility for maintenance of common areas of landscaping, drives or parking.

4. **Stage Construction:** The preliminary development plan and preliminary subdivision plat shall show all of the development stages. A final plat and development plan for each stage should be submitted for approval at not more than twelve (12) month intervals.

D. Wolf Pen Creek Development Corridor (WPC)

1. Purpose

This district is designed to encourage development in a predominantly open and undeveloped area with drainage, erosion and flooding problems. It is designed to encourage the public and private use of Wolf Pen Creek as an active and passive recreational area while maintaining an appearance consistent with the Wolf Pen Creek Master Plan. Development should enhance and preserve property values in the Corridor.

2. Review Process

All development projects proposed within the corridor shall be reviewed by the Design Review Board (DRB). The DRB shall be a body appointed by the City Council and shall consist of (1) one registered architect, (2) one business person, (3) one member knowledgeable in aesthetic judgment, (4) one landowner or developer in the Wolf Pen Creek Corridor, (5) one citizen at large, and the voting members of the Project Review Committee, being a committee established by the City's Zoning Ordinance. The DRB shall be supported by the same technical staff as the Project Review Committee. The initial term of office shall be two (2) years for the business person and the architect and three (3) years for the expert in aesthetic judgment, the citizen at large, and the landowner. All terms thereafter shall be for three (3) years.

The DRB, in reviewing each proposal, shall consider the City's land use and development codes, the Wolf Pen Creek Corridor Study and Master Plan, and the standards and policies herein provided. Standards and policies herein take precedence over other applicable codes and ordinances where conflict exists.

The following factors and characteristics, which affect the appearance of a development, will govern the Design Review Board's evaluation of a design submission:

- ?? Conformance to the City's land use and development codes and this ordinance.
- ?? Logic of design.
- ?? Exterior space utilization.
- ?? Architectural character.
- ?? Attractiveness.
- ?? Material selection.

- ?? Harmony and compatibility.
- ?? Circulation – vehicular and pedestrian.
- ?? Maintenance aspects.

The DRB shall make recommendation to the Planning & Zoning Commission regarding each proposal for development in this district.

Appeals from decisions of the Planning & Zoning Commission shall be to the City Council. Applicants appealing must do so in writing and within ten (10) days of the Planning & Zoning Commission's decision. Appeals shall be submitted to the office of the City Secretary. The City Secretary's office shall schedule a hearing of the appeal before the Council within thirty (30) days from receipt of the letter of appeal.

3. Requirements For Dedication/Development Of Drainage And Pedestrian Access Ways

The developer shall preserve the natural setting of the creek while conveying the 100-year flood waters of the fully developed Wolf Pen watershed in a natural appearance. No channel of concrete or similar material shall be allowed.

The developer or property owner may reclaim the flood fringe subsequent to reclamation plans approved by the City Engineer. Flood fringe areas not reclaimed by the developer may be acquired by the City through dedication or purchase at market value for flood plain land.

The floodway and the minimum reservation line as defined in the Wolf Pen Creek Master Plan shall be indicated on the site plan. Upon development of the property and at the option of the developer the floodway and the minimum reservation line shall either be dedicated to the City for drainage and public open space use or be improved by the developer to conform with the standards of the Development Corridor which may include, but not be limited to (a) cleaning and removal of brush; (b) bank stabilization; (c) erosion control; (d) no extensive channel work; and (e) pedestrian walkways, lighting and access easements. A plan for the improvement of this area shall be approved by the Planning & Zoning Commission based on the recommendation of the Design Review Board. Cross sections as shown in the Wolf Pen Creek Master Plan shall be used in designing improvements unless otherwise approved by the P&Z. If developed privately the developer or property owner may submit the improvements to City for dedication and, if accepted, the City will maintain those facilities to the same standards as public development along the creek.

4. Development Of Properties In The Corridor

Criteria have been developed to establish a checklist of those items that affect the physical aspect of the environment of the Wolf Pen Creek Corridor. Pertinent to

appearance is the design of the site, building and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

These criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles, which can result in creative solutions that will develop a satisfactory visual appearance within the city, preserve taxable values, and promote the public health, safety, and welfare.

In order to create and then preserve a distinctive atmosphere and character in the Wolf Pen Creek Development Corridor the following elements shall be considered in the review of all projects and proposals for development:

Lighting:

On-site lighting shall be positioned to reduce glare and undesirable light. A listing of acceptable fixtures and lights will be made available and will be those typical fixtures and lights used by the City's Parks and Recreation Department. Sodium lights shall not be installed or used in the Wolf Pen Creek Corridor. Lighting to provide security or crime prevention or as a requirement for insurance shall be allowed.

Exterior lighting shall be part of the architectural concept. Fixtures, standards and all exposed accessories shall be harmonious with building design.

Garbage:

On-site garbage collection points shall be identified on the site plan. Owners shall be encouraged in the joint use of property garbage collection agreements. Collection points may also act as vehicular access points for park maintenance vehicles.

Building service areas and garbage collection points shall be screened from the creek corridor, trail system, parking areas, and dedicated streets and shall not be within 20 feet of the minimum reservation line. Screening shall consist of living plant materials.

Utility Service:

All new utility services or upgrading of existing services shall be installed underground by the developer according to City standards.

Relationship of Buildings to Site:

The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.

Site planning in which setbacks and yards are in excess of zoning restrictions is encouraged to provide an interesting relationship between buildings.

Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from view from public ways.

The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

Setbacks shall meet those of the C-1 General Commercial district for all commercial uses.

Relationship of Buildings and Site to Adjoining Area:

Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.

Attractive landscape transition to adjoining properties shall be provided.

Harmony in texture, lines and masses is required. Monotony shall be avoided.

Joint vehicular access agreements from dedicated streets are encouraged and may be required by the P&Z upon recommendation of the DRB.

Park access easements for vehicular and pedestrian traffic shall be indicated on the site plan.

Elevation drawings showing the side of the building facing the park space shall be provided at the DRB meeting.

Building Design:

Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.

Materials shall be of durable quality.

In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.

Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.

Colors shall be harmonious and shall use only compatible accents.

Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.

Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.

Landscaping:

Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures. In addition to the requirements of Section 11 all landscaping shall meet the following:

Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance.

Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.

Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axes, and provide shade.

Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.

Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design and of good appearance shall be used.

In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.

Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.

Where building sites limit planting, the placement of trees in parkways or paved areas is encouraged.

Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.

In areas where general planting will not prosper, other materials such as fences, walls, and pavings of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.

Signs:

Commercial projects shall follow the requirements of the C-1 General Commercial District in Section 12 and multi-family projects shall follow the requirements of Apartment I.D. signs in Section 12 in addition to meeting the following:

Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.

Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.

The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.

The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.

Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.

Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.

Miscellaneous Structures and Street Hardware:

Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with

buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.

Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings and signs.

Maintenance:

Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.

Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.

Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

Major maintenance activities that occur after a project is complete shall be reviewed by the Design Review Board. These activities include any exterior painting other than minor touch-up, replacement of light fixtures or standards, major fence or landscape work or replacement. The intent here is to insure that the development standards of this ordinance are maintained throughout the life of a project.

5. Development Incentives

a. Incentives For Creek Orientation

The following incentives may be awarded for developments adjacent to the creek which orient a facade (comparable in design and materials to the front facade) to the floodplain and have pedestrian access to the trail system. The Planning & Zoning Commission shall determine appropriate use of incentives.

(1) Parking Standards

All standards and requirements relative to the required number of parking spaces and the dimensions and location of parking spaces and islands shall be as required by the City's Zoning Ordinance except as herein provided upon approval of the Planning and Zoning Commission.

- (a)** A raised island, not less than six inches in height and not less than four feet in width shall separate public right-of-way from parking areas.
- (b)** A raised island, not less than six inches in height and encompassing not less than 90 square feet in area with a bottom

contiguous with existing soil, shall be located between every 25 parking spaces in peripheral parking rows.

- (c) A raised island, not less than six inches in height and encompassing not less than 180 square feet in area with a bottom contiguous with existing soil, shall be located at both ends of every double parking row regardless of the length of said row.
- (d) Islands are required at the ends of every other single interior parking row. There is no limit to the length of a single or double interior parking row.
- (e) Medians, wheelstops or other treatments may be required within parking lots to discourage cross traffic movements and for traffic safety.
- (f) For any use, building or structure where the required off-street parking cannot be provided on the premises because of size or location of the lot or building plot, such parking may be provided on other property under the same ownership whether in fee simple or through a perpetual easement not more than 350 feet distant from the building site, provided that the proposed parking area is located in a district where parking lots are permitted for that use.
- (g) A developer may provide up to 25% of the total parking requirement using compact car spaces. These spaces shall be a minimum of 7.5 feet wide by 16 feet deep. The location of such spaces shall be noted on the site plan.
- (h) The parking requirement for banks, day care centers, offices and personal services shall be one space per 275 square feet. The parking requirement for medical and dental offices shall be one space per 200 square feet.
- (i) The joint use or sharing of parking facilities is encouraged and shall be allowed based on consideration of the types of facilities sharing and the hours of operation of each.

(2) Signs

An additional identification sign oriented to the creek may be allowed for projects oriented to the creek. Signs oriented to the creek shall not exceed 16 square feet in area, four feet in height or six feet in length. Such signs may be indirectly lighted from ground lighting and shall be no closer to the creek than the minimum reservation line.

b. Incentives For Property Dedication

For developments where the minimum reservation has been dedicated the following incentives may be applied:

(1) Setbacks

The property dedication line may act as the rear building line. Elevated decking is allowed into the dedicated property as approved by the P&Z. This does not permit filling in the dedicated property.

(2) Landscaping

Point requirements shall be calculated based upon the total site area exclusive of the dedicated area while point credit shall be given for approved trees in the dedicated area. Landscaping materials in the half of the site closest to the creek may account for up to 75% of the total point requirement. The total canopy tree requirement may be met within the half of the site closest to the creek.

(3) Signs

Business identification signs located within the dedicated park area will be provided by the City upon its development of the park elements within the dedicated area.

6. Fill Materials

Fill materials must be placed or stored in accordance with a site plan approved by the Design Review Board.

Fill must not be placed over existing utility lines without permission of the City of College Station.

Fill must not be stored or placed under the driplines of any tree three inches (3") or greater in caliper.

Stored fill materials must be maintained in an aesthetically pleasing manner.

Materials may be hauled in or excavated for lake construction.

E. Business Park (B-P)

- 1.** This district is designed for office, research and light industrial uses meeting the standards and performance criteria established in this section. These uses could be compatible with low intensity uses and all residential uses. In establishing this district the City Council of College Station recognizes that some industrial uses developed under appropriate development controls may be appropriate neighbors for areas planned, zoned or developed residentially. These uses are those that will meet the performance criteria established in this section and have little or no impact on surrounding areas, thereby maintaining the character and integrity of neighborhoods. This district should be carefully located in areas where there is sufficient access to arterial level thoroughfares.
- 2.** This district is not for general retail uses. Uses are intended to be those that are free from danger of fire, explosion, toxic or noxious matter, radiation, smoke, dust and other hazards, offensive noise, vibration, odor, heat, glare, or other objectionable influences that would render them incompatible with surrounding planned or existing land uses. Each development in this district shall be reviewed under Section of this Ordinance and each development shall meet all applicable standards set forth in this UDO.

F. Northgate Districts (NG-1, NG-2, NG-3)
[Separate Ordinance to be inserted upon completion]

G. Planned Development District (PD)

1. Building Heights

Where structures within the planned development are proposed to exceed 35 feet in height on land adjacent to any residential use or an residential or agricultural zoning districts, such structures shall be located a minimum of one foot (1') from the boundary of the open space buffer described in Section F above for each two feet of height over 35 feet.

2. Buffer Yards

Each proposed development shall be reviewed to determine the compatibility of the development with surrounding land uses. Open space buffers shall be required to separate land uses within the planned development from land uses adjacent to the planned development unless it is determined by the Planning and Zoning Commission that no incompatibility exists between the land uses. No structure, parking lot, equipment pad, or other manmade construction not approved by the City shall be placed in an open space buffer.

Buffer yard choices shall, at a minimum, be those found in Section 7.23 R&D District, subsection D. Performance Criteria. Wider buffer yards may be required by the Planning & Zoning Commission where necessary to mitigate negative impacts of more intense uses on less intense uses either within the PDD or between the PDD and adjacent uses or districts.

3. Access and Frontage

Planned developments designated as PDD-B, PDD-I, or PDD-M shall have frontage along and access to major arterial streets on at least one side of the proposed development. Access through a residential area to a PDD-B, PDD-I, PDD-M via a local street (as defined in the City's Subdivision Regulations) is prohibited.

H. Corridor Overlay District (OV)

1. In the event that an area is rezoned to apply the overlay district, this district shall apply to all multi-family, commercial, and industrial property, and where applicable, to single family, duplex or townhouse development. The underlying district establishes the permitted uses and shall remain in full force, and the requirements of the overlay district are to be applied in addition to the underlying use and site restrictions.

2. Purpose

This district is established to enhance the image of key entry points, major corridors, and other areas of concern, as determined by the City Council, by maintaining a sense of openness and continuity. In cases of conflict between this

overlay district and the underlying zones, the more restrictive regulation shall apply.

3. Setbacks

All buildings will be set back 40 feet from the Right of Way (R.O.W.). Where parking is located in the front of the building, there shall be a front setback of 20 feet from the R.O.W. to the parking area.

4. Building Aesthetics

Building colors shall be harmonious with the existing man-made or natural environment, and only compatible accent colors shall be used. All colors shall be approved by the Project Review Committee (P.R.C.). Elevation drawings and color samples must be provided by the applicant.

5. Signs

Signs shall include no more than three colors and two lettering styles. At least one of the colors must match the predominant colors of the building.

Freestanding signs shall be limited to the restrictions of Table I, but shall not exceed the height of the building.

No flags, pennants, banners, or other wind-driven devices will be permitted except for a 30 day period during the opening of an establishment.

I. Electrical Utilities

1. All future feeder lines along University Drive shall be installed underground.
2. Overhead distribution lines may be permitted along rear property lines and no farther up side property lines than is necessary to access the rear property line of an adjacent property.
3. All customer service facilities (primary or secondary) within the Overlay District shall be underground.

J. Storage

Outside storage or display shall be screened from the roadway.

K. Screening

If parking is in front of the building, it must be screened by:

an earth berm that measures three feet in height with a slope and profile that is easily maintainable OR a planting strip that is continuous and measures three feet in height at the end of one growing season. Vegetation used for screening purposes shall not accrue points toward the landscape requirements OR a masonry wall that matches the architectural style and color of the development. OR a combination of any of the three screening methods mentioned above.

Walls and planting strips shall be located at least two feet from any parking area. Screening must be maintained during the life of the development. Where the street and the adjacent site are at different elevations, the P.R.C. may alter the height of the screening to ensure adequate screening. Dumpsters shall not be visible from any R.O.W.

L. Special Restriction For Gasoline Service Stations

In cases where the underlying zoning district permits gasoline services stations and a station is proposed, the following restrictions shall apply:

1. Activities Restricted

no major emergency auto repair.

no body, fender, or paint work.

no sale or rental of vehicles.

all activities except those associated with fuel pumping must be conducted within an enclosed building.

service bays and car wash bays shall be oriented to face away from any R.O.W. Where this is impossible, screening methods will be required.

2. Setbacks

	Front	Side	Rear	Side Street
Main building	40'	25'	25'	25'
Fuel pumps	50'	25'	25'	25'
Canopies	40'	15'	15'	15'

3. Storage and Display

- no outside storage or display of merchandise.
- storage tanks must be located below grade.
- no outside storage of vehicles.
- ice and vending machines must be enclosed in a building.
- no additional advertising within view of the R.O.W.

4. Signs

- sign height shall be restricted by the provisions of Table I, but shall not exceed the height of the building.
- one detached sign and two attached signs will be permitted.
- no freestanding fuel price signage shall be permitted.
signs for air, water and other similar services or products must meet the criteria for exempt signs.

Article 5. Use Regulations

5.1 Use Tables

A. Types of Use

All of the Use Categories listed in the Use Table are defined and described in the sections immediately following the Table.

1. Uses Permitted By Right

A “P” indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this Unified Development Ordinance (UDO).

2. Permitted Uses Subject to Supplemental Standards

A “P*” indicates a use that will be permitted, provided that the use meets an additional list of additional standards. Such uses are subject to all other applicable regulations of this Ordinance.

3. Conditional Use

A “C” indicates a use category that is allowed conditionally, provided that it meets the additional listed standards contained in Section 5.3 Specific Use Standards. Conditional uses are subject to all other applicable regulations of this Ordinance.

B. Uses Not Allowed

A blank cell in the Use Table indicates that a Use Category is not allowed in the respective district.

C. Uses Not Listed

The Administrator shall determine whether or not an unlisted use is part of an existing Use Category defined in or is substantially similar to an already defined use, using the criteria in Section 5.2 Use Categories.

Use Table

USE TABLE		RESIDENTIAL DISTRICTS										NONRESIDENTIAL DISTRICTS						
Use Category	Specific Use	A-O	RE (A-OR & A-OR)	RS-8 (R-1B)	RS-5 (R-1)	RM-9 (R-2)	RM-12 (R-3)	RM-18 (R-4)	RM-24 (R-5)	RMH (R-7)	C-N	C-O (AP)	C-C (C-3)	C-G (C-1)	C-H (C-2)	BP	M-1	M-2
KEY: P= Permitted By Right P*= Permitted Uses Subject to Supplemental Standards C= Conditional Use																		
RESIDENTIAL																		
Household Living	Single-Family, Attached																	
	Single-Family Detached	P	P	P	P	P												
	Townhouse/Row House						P	P	P			C*	C*	C*				
	Two-Family dwelling					P	P											
	Manufactured Home	P	P*	P*	P*	P*				P								
	Multi-Family dwelling							P	P			C*	C*	C*				
Group Living	Manufactured Home Park									P*								
	Boarding House/Rooming House							P	P									
	Convalescent or Nursing Home							P	P			C	C	C				
	Dormitory							C	P			C	C	C				
	Fraternity/Sorority House					C*	C*	C*	C*									
	Group Housing							C*	C*									
PUBLIC, CIVIC AND INSTITUTIONAL																		
Community Service												C	P	P				
Day Care							C	C	C		C	P	P	P	C	P	C	
Education Facilities	School, Public/ Private	C	C	C	C	C	C	C	C		C	P	P	P	C			
	Trade/Vocational										C	P	P	P	P	C	P	P
Government Facilities	Public/Community Building	C	C	C	C	C	C	C	C		C	P	P	P	C	P	P	P
	Government Office										C	P	P	P	C	C		
Health Care Institutions												P	P	P	C	C		
Parks and Open Space		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Religious Institution		C	C	C	C	C	C	C	C		C	P	P	P	C			
Utilities	Major Utility														C	C	C	P
	Minor Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
COMMERCIAL, OFFICE, RETAIL																		
Eating Establishments	Restaurant, Without Drive-In										C	C	P	P	P	C		
	Restaurant, With Drive-In												P	P	C			
Entertainment	Adult Use													C				P
	Private Entertainment Facility																	
	Riding Academy/Horse Stable	P	P															

USE TABLE		RESIDENTIAL DISTRICTS										NONRESIDENTIAL DISTRICTS						
Use Category	Specific Use	A-O	RE (A-OR & A-OR)	RS-8 (R-1B)	RS-5 (R-1)	RM-9 (R-2)	RM-12 (R-3)	RM-18 (R-4)	RM-24 (R-5)	RMH (R-7)	C-N	C-O (AP)	C-C (C-3)	C-G (C-1)	C-H (C-2)	BP	M-1	M-2
KEY: P= Permitted By Right P*= Permitted Uses Subject to Supplemental Standards C= Conditional Use																		
Office	Medical Office/Clinic										P*	P	P	P	P	C		
	Other Office										P*	P	P	P	P	C		
Overnight Accommodations	Apartment Hotel													C				
	Bed and Breakfast	P*	P*	P*	P*	P*					P*							
	Hotel/ Motel												P	P				
Parking, Commercial	Parking Lot, Commercial										C	P	P	P	P	C	P	P
	Parking Structure											C	C	P	C	C	P	P
	Alcoholic Beverage Sales										C	C	P	P	C			
Retail Sales and Service	Animal Hospital/Care Facility/Kennel														P		C	C
	Bar/Night Club/Tavern												C	P	C			
	Classes, Acting/Art/Dance/Music/Photography										P	P	P	P	P		P	
	Convenience Store										P*	P*	P	P	P		P	
	Fuel Sales											C	P	P	P		C	P
	Other Retail											P	P	P	P			
													C	P	P		P	P
Self-Service Storage																		
Vehicle Sales and Service	Automobile Sales and Rental													P	P			
	Automobile Repair														P		P	
	Car Wash												P	P	P		P	
	Other Vehicle Sales and Service													P	P		P	
INDUSTRIAL AND MANUFACTURING																		
Aviation Services																		
Light Industrial Services																		
Manufacturing and Production																		
Warehouses																		
Waste Related Service																		
Wholesale Sales																		
OTHER																		
Agriculture																		
Telecommunication Towers	Telecommunication Towers, Intermediate	P*	P								P*	P*	P*	P*	P*	P*	P*	P*
	Telecommunication Towers, Major	C*									C*	C*	C*	C*	C*	C*	C*	C*

5.2 Use Categories

A. Basis for Classification

Use Categories classify land uses and activities into Use Categories based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The Use Categories provide a systematic basis for assigning present and future land uses into appropriate zoning districts.

B. Principal Uses

Principal uses are assigned to the category that most closely describes the nature of the Principal Use. The “Characteristics” subsection of each Use Category describes the common characteristics of each Principal Use.

1. The Developments with Multiple Principal Uses

When all Principal Uses of a development fall within one Use Category, the entire development is assigned to that Use Category. A development that contains a coffee shop, bookstore and bakery, for example, would be classified in the Retail Sales and Service category because all of the development’s Principal Uses are in that category. When the Principal Uses of a development fall within different Use Categories, each Principal Use is classified in the applicable category and each use is subject to all applicable regulations for that category.

2. Accessory Uses

Accessory Uses are allowed by-right in conjunction with a Principal Use unless otherwise stated in this UDO. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Common Accessory Uses are listed as examples in the Use Category descriptions.

3. Use of Examples

The “Examples” subsection of each Use Category lists common examples of uses included in the respective Use Category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself “Wholesale Warehouse” but that sells mostly to consumers, is included in the Retail Sales and Service category rather than the Wholesale Sales category. This is because the actual activity on the site matches the description of the Retail Sales and Service category.

C. Similar Use Interpretation Criteria

The following considerations shall be used in making similar use interpretations:

1. The actual or projected characteristics of the activity in relationship to the stated characteristics of each Use Category;
2. The relative amount of site area or floor space and equipment devoted to the activity;

3. Relative amounts of sales from each activity;
4. The customer type for each activity;
5. The relative number of employees in each activity;
6. Hours of operation;
7. Building and site arrangement;
8. Vehicles used with the activity;
9. The relative number of vehicle trips generated by the use; and
10. How the use advertises itself.

D. Residential Use Categories

1. Group Living

a. Characteristics

Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living. The size of the group may be larger than the average size of a household. Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see Overnight Accommodations and Community Service categories). Generally, Group Living structures have a common eating area for residents. The residents may receive care, training or treatment, as long as the care givers also reside at the site.

b. Accessory Uses

Accessory uses commonly associated with Group Living are recreational facilities, dining facilities and parking of vehicles for occupants and staff.

c. Examples

Examples of group living include boarding house/rooming house; convalescent homes; nursing homes; dormitories; fraternities and sororities; group housing; monasteries and convents.

d. Exceptions

- (1) Lodging where tenancy may be arranged for periods of less than 30 days is classified in the Overnight Accommodations category.
- (2) Lodging where the residents meet the definition of Household and where tenancy is arranged on a month-to-month basis, or for a longer period is classified as Household Living.

- (3) Congregate care facilities where individual units meet the definition of a dwelling unit in Article 11 are classified as Household Living.

2. Household Living

a. Characteristics

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis.

b. Accessory Uses

Accessory uses commonly associated with Household Living are recreational activities, raising of pets, hobbies and parking of the occupants' vehicles. Home Occupations are Accessory Uses that are subject to additional regulations set forth in Section 5.4 of this Ordinance.

c. Examples

Uses include living in single-family, attached; single-family detached; condominiums; townhouses; two-family dwellings; triplexes and multi-family dwellings; retirement center apartments; some congregate care facilities; manufactured housing; and other structures with self-contained dwelling units.

d. Exceptions

- (1) Lodging in a dwelling unit or where units are rented on a less than monthly basis is classified in the Overnight Accommodations category.

E. Public, Civic and Institutional Use Categories

1. Aviation and Surface Passenger Terminal

a. Characteristics

Aviation and Surface Passenger Terminals includes facilities for the landing and takeoff of airplanes and helicopters, including loading and unloading areas. Aviation facilities may be improved or unimproved. Aviation and Surface Passenger Terminals also includes passenger terminals for bus service.

b. Accessory Uses

Accessory Uses include freight handling areas, concessions, offices, parking and maintenance and fueling facilities.

c. Examples

Examples include airports; bus passenger terminals; and helicopter landing facilities.

d. Exceptions

- (1) Bus passenger stations for local service such as mass transit stops and park-and-ride facilities are classified as Basic Utilities.
- (2) Private helicopter landing facilities that are accessory to another use, may be considered Accessory Uses subject to all the regulations and approval criteria for helicopter landing facilities.

2. Community Service

a. Characteristics

Community Services are uses of a public, nonprofit or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide special counseling, education, or training of a public, nonprofit or charitable nature.

b. Accessory Uses

Accessory Uses may include offices; meeting areas; food preparation areas; parking, health and therapy areas and athletic facilities.

c. Examples

Examples include libraries; museums; senior centers; community centers; youth club facilities; hospices and social service facilities.

d. Exceptions

- (1) Private lodges, clubs and private or commercial athletic or health clubs are classified as Retail Sales and Service.
- (2) Parks are classified as Parks and Open Areas.
- (3) Treatment centers are classified as Institutions.
- (4) Uses where tenancy is arranged on a month-to-month basis or for a longer period are residential and are classified as Household or Group Living.

3. Day Care

a. Characteristics

Day Care uses provide care, protection and supervision for more than six children or adults on a regular basis away from their primary residence for less than 24 hours per day.

b. Accessory Uses

Accessory uses include offices, recreation areas and parking.

c. Examples

Examples include preschools; child care centers; nursery schools; latch key programs; and adult day care programs.

d. Exceptions

Day Care does not include public or private schools or facilities operated in connection with an employment use, shopping center or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity. In-home care for six or fewer individuals is considered a Home Occupation (Accessory Use) and subject to the standards set forth in Section 5.4 of this Ordinance.

4. Educational Facilities

a. Characteristics

This category includes public and private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education. This category also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Colleges tend to be in campus-like settings or on multiple blocks.

b. Accessory Uses

Accessory Uses at schools include play areas, cafeterias, recreational and sport facilities, auditoriums and before- or after-school day care. Accessory Uses at colleges include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial.

c. Examples

Examples include public and private daytime schools; business, trade and vocational; dance and music schools; boarding schools; military academies; universities; liberal arts colleges; community colleges; nursing and medical schools not accessory to a hospital and seminaries.

d. Exceptions

(1) Preschools are classified as Day Care uses.

(2) Business and trade schools are classified as Retail Sales and Service.

5. Government Facilities

a. Characteristics

Government facilities includes offices, storage, maintenance and other facilities for the operation of Federal, State or Local government.

b. Accessory Uses

Accessory Uses include storage, maintenance and fueling facilities, satellite offices and parking areas.

c. Examples

Examples include city hall; public/community buildings; government offices; municipal service facilities; maintenance facilities; fire stations; police stations and emergency medical and ambulance stations; detention centers; lifeguard services; library; post offices; and federal, state or local offices.

d. Exceptions

(1) Passenger terminals for airports and regional bus service are classified as Aviation and Surface Passenger Terminals.

(2) State, County or City parks are classified as Parks and Open Space.

(3) Water and wastewater facilities, gas, electric and other infrastructure services, whether public or private, are classified as utilities.

(4) Waste and recycling services are classified as Waste Related Services.

6. Health Care Facilities

a. Characteristics

Health Care Facilities include uses providing medical or surgical care to patients and offering overnight care.

b. Accessory Uses

Accessory Uses include out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities and housing facilities for staff or trainees.

c. Examples

Examples include medical centers and hospitals.

d. Exceptions

- (1) Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents of the program, are classified in the Institutional category.
- (2) Medical clinics that provide care where patients are generally not kept overnight are classified as Office.

7. Institutions

a. Characteristics

Institutions provide a variety of facilities including housing and care for the elderly or disabled and housing related to treatment programs.

b. Accessory Uses

Accessory uses include school facilities, meeting rooms, parking and staff residences (household living).

c. Examples

Examples include some group homes for the physically disabled, mentally retarded, or emotionally disturbed; sanitarium; some residential programs for drug and alcohol treatment and alternative or post incarceration facilities.

d. Exceptions

Congregate care facilities where individual units meet the definition of a dwelling unit in Article 11 are classified as Household Living.

8. Parks and Open Areas

a. Characteristics

Parks and Open Areas are uses of land focusing on natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.

b. Accessory Uses

Accessory Uses may include club houses, maintenance facilities, concessions, caretaker's quarters and parking.

c. Examples

Examples include parks; beach accesses; publicly-owned golf courses; cemeteries; public squares; plazas; recreational trails; botanical gardens and nature preserves.

d. Exceptions

- (1) Privately-owned golf courses are classified as Entertainment uses.

9. Religious Institutions

a. Characteristics

Religious Institutions primarily provide meeting areas for religious activities.

b. Accessory Uses

Accessory uses include Sunday school facilities, parking, caretakers housing and group living facilities such as convents.

c. Examples

Examples include churches, temples, synagogues and mosques.

d. Exceptions

- (1) Preschools are classified as Day Care uses.

- (2) Schools are classified as Schools.

10. Utilities

a. Characteristics

Major Utilities are infrastructure services providing Island-wide service. Minor utilities are infrastructure services that need to be located in or near the area where the service is provided. Utility uses generally do not regularly have employees at the site. Services may be publicly or privately provided.

b. Accessory Uses

Accessory uses may include parking and control, monitoring, data or transmission equipment.

c. Examples

- (1) Examples of major utilities include water towers; radio and television broadcast towers; waste treatment plant; and electrical substations.

- (2) Examples of Minor Utilities include water and sewage pump stations; stormwater retention and detention facilities; and telephone exchanges.

d. Exceptions

- (1) Maintenance yards and buildings are classified as Industrial Services.

- (2) Utility offices are classified as Offices.

F. Commercial Use Categories

1. Eating Establishments

a. Characteristics

Establishments that sell food for on or off-premise consumption.

b. Accessory Uses

Accessory uses may include decks and patios for outdoor seating, drive-thru facilities, customer and employee parking areas, and valet parking facilities.

c. Examples

Includes restaurants; drive-ins; fast food establishments; yogurt or ice cream shops; and pizza delivery.

d. Exceptions

(1) Barbeque stands are classified as Open Air Sales.

(2) Nightclubs and bars are classified as Retail Sales and Service uses.

2. Entertainment

a. Characteristics

Entertainment uses are large, generally commercial uses that provide continuous recreation or entertainment-oriented activities. They primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting.

b. Accessory Uses

Accessory Uses may include restaurants, bars, concessions, parking and maintenance facilities.

c. Examples

Examples include adult uses; arena/coliseum; commercial amusements; private entertainment facilities; private riding academy; privately-owned golf courses; golf driving ranges; miniature golf facilities; private country club; privately-owned tennis facilities; and publicly or privately-owned active sports facilities such as ballfields and basketball courts.

d. Exceptions

(1) Exhibition and meeting areas with less than 20,000 square feet of total event area are classified as Retail Sales and Service.

(2) Banquet halls that are part of hotels or restaurants are accessory to those uses, which are included in the Retail Sales and Service category.

- (3) Theaters are classified as Indoor Entertainment.
- (4) Publicly-owned golf courses are classified as Parks and Open Areas.
- (5) Indoor continuous entertainment activities such as bowling alleys, game arcades, pool halls, dance halls or indoor firing ranges are classified as Indoor Entertainment.

3. Office

a. Characteristics

Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical or financial services.

b. Accessory Uses

Accessory Uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

c. Examples

Examples include professional services such as lawyers, accountants, engineers, or architects; financial institutions such as lenders, brokerage houses or real estate agents; administrative offices; data processing; sales offices; government offices and public utility offices; radio and television stations/studios; medical and dental offices and clinics; medical and dental labs; and blood-collection facilities.

d. Exceptions

- (1) Offices that are part of and located with a principal use in another category are considered accessory to the firm's primary activity. Headquarters offices, when in conjunction with or adjacent to a principal use in another category, are considered part of the other category.
- (2) Contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored outside and fabrication, services or similar work is not carried on at the site.

4. Parking, Commercial

a. Characteristics

Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.

b. Accessory Uses

Small structures intended to shield parking attendants from the weather.

c. Examples

Examples include short- and long-term fee parking facilities and mixed parking lots (partially accessory to a specific use, partly for rent to others).

d. Exceptions

(1) Parking facilities that are accessory to a principal use, but that charge the public to park for occasional events nearby, are not considered Commercial Parking facilities.

(2) Parking facilities that are accessory to a principal use are not considered Commercial Parking uses, even if the operator leases the facility to the principal use or charges a fee to the individuals who park in the facility.

(3) Public transit park-and-ride facilities are classified as Major Utilities.

(4) Sales or servicing of vehicles is classified as Vehicle Sales and Service.

5. Overnight Accommodations

a. Characteristics

Dwelling units arranged for short term stays of less than 30 days for rent or lease.

b. Accessory Uses

Accessory uses may include pools and other recreational facilities, limited storage, food preparation and dining facilities, laundry facilities, meeting rooms, Off-street Parking and offices.

c. Examples

Examples include bed and breakfast establishments, hotels, motels, inns and extended stay facilities.

6. Retail Sales and Service

a. Characteristics

Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

b. Accessory Uses

Accessory Uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.

c. Examples

Examples include uses from the four following groups:

- (1) Sales-Oriented.** Stores selling, leasing or renting, consumer, home and business goods including alcohol; appliances; art; art supplies; bicycles; books; building/ lumber sales; clothing; dry goods; electronic equipment; fabric; farm supplies; furniture; garden supplies; gifts; groceries; hardware; home improvements; household products; jewelry; manufactured home sales; marine and fishing equipment; monument; optical; pets; pet food; pharmaceuticals; plants; printed material; stationary and medical and dental supply stores; trailer equipment; videos; food sales and sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks and other recreational vehicles.
- (2) Personal Service-Oriented.** Banks; commercial gardens; classes, acting/art/dance/music/photography; commercial garage; drive-in sales; dry clean/ laundromat; emergency medical care offices; funeral home; household equipment rental; laundry and dry-cleaning drop-off establishments; photographic studios; photocopy and blueprint services; hair, tanning and personal care services; business, martial arts and other trade schools; health clubs and gyms; office equipment rental; personal service shops rental vehicles and equipment; small recycling collection facilities; taxidermists; travel agencies; animal hospital/care facility, veterinarians, kennels and animal grooming.
- (3) Entertainment-Oriented.** Bars, night clubs and tavern; indoor continuous entertainment activities such as bowling alleys, game arcades, pool halls, dance halls, indoor firing ranges, theaters and membership clubs and private and fraternal lodges.
- (4) Repair-Oriented.** Repair of TV's, bicycles, clocks, watches, shoes, guns, canvas products, appliances and office equipment; photo or laundry drop-off; tailor; locksmith and upholsterer.

d. Exceptions

- (1)** Restaurants are classified as Eating Establishments.
- (2)** Laundry and dry-cleaning plants are considered Light Industrial Services.
- (3)** Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
- (4)** Repair and service of consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Service.

7. Self-Service Storage

a. Characteristics

Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.

b. Accessory Uses

- (1)** Accessory Uses may include living quarters for a resident manager or security and leasing offices and outside storage of boats and campers.
- (2)** Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the Self-Service Storage use.
- (3)** The rental of trucks or equipment is also not considered accessory to a Self-Service Storage use.

c. Examples

Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses.

d. Exceptions

- (1)** A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the Warehouse and Freight Movement category.

8. Vehicle Service

a. Characteristics

Vehicle Service uses provide direct services to motor vehicles. They also may include firms that service passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles.

b. Accessory Uses

Accessory Uses may include offices, sales of parts and vehicle storage.

c. Examples

Examples include full-service, mini-service and self-service gas stations; automobile rental; automobile sales; car washes; quick lubrication services; vehicle repair; transmission or muffler shop; towing service; auto body shop; alignment shop; auto upholstery shop; auto detailing; and tire sales and mounting.

d. Exceptions

- (1) Refueling facilities for vehicles that belong to a specific use (fleet vehicles) are considered accessory uses if they are located on the site of the Principal Use.

G. Industrial Use Categories

1. Aviation Service

a. Characteristics

Aviation service firms are engaged in storage, repair or servicing of airplanes, helicopters and related aviation equipment, charter aviation services, flying-related education, and warehousing related to air shipping.

b. Accessory Uses

Accessory activities may include offices, parking, warehousing and storage.

c. Examples

Examples include Airplane Landing Strips, Sales, Service and Repair, Fixed Base Operators, flying schools and air shipment warehouses.

d. Exceptions

- (1) Car rental agencies associated with commercial air travel are classified as Passenger Terminals.
- (2) Warehousing not associated with air shipping is classified as Warehousing and Freight Movement.

2. Light Industrial Service

a. Characteristics

Light Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

b. Accessory Uses

Accessory activities may include offices, parking and storage.

c. Examples

Examples include welding shops; sheet metal fabrication shop; machine shops; tool repair; electric motor repair; farm equipment repair and storage; repair of scientific or professional instruments; building, heating, plumbing or

electrical contractors; printing, publishing and lithography; exterminators; janitorial and building maintenance services; fuel oil distributors; research and development; Storage Tanks; testing and development laboratories; sign shop; laundry, dry-cleaning and carpet cleaning plants and photo-finishing laboratories.

d. Exceptions

- (1) Contractors and others who perform services off-site are included in the Office category, if major equipment and materials are not stored on-site and fabrication or similar work is not carried on at the site.

3. Manufacturing and Production

a. Characteristics

Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

b. Accessory Uses

Accessory activities may include offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.

c. Examples

Examples include processing of food and related products, including apparel; catering establishments; concrete batching and products and asphalt mixing; Electric Machines; Food Processing Plants; Instruments and Components; Light Manufacturing; woodworking, including cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials or products; movie production facilities; production or fabrication of metals or metal products including enameling and galvanizing; Office Equipment and Supplies; manufacture or assembly of equipment, instruments, including musical instruments, appliances, precision items and other electrical items; production of artwork and toys and sign making.

d. Exceptions

- (1) Manufacturing of goods to be sold primarily on-site and to the general public are classified as Retail Sales and Service.
- (2) Manufacture and production of goods from composting organic material is classified as Waste Related Service.

4. Warehouse and Freight Movement

a. Characteristics

Warehouse and Freight Movement firms are involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.

b. Accessory Uses

Accessory uses may include offices, truck fleet parking and maintenance areas.

c. Examples

Examples include separate warehouses used by retail stores such as building and lumber materials; express storage; storage furniture and appliance stores; household moving and general freight storage; cold storage plants; storage garage; warehouses; indoor only; including frozen food lockers; parcel services; and the stockpiling of gravel or other aggregate materials.

d. Exceptions

(1) Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste Related Service.

(2) Mini-warehouses are classified as Self-Service Storage uses.

5. Waste Related Service

a. Characteristics

Waste Related Services are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material.

b. Accessory Uses

Accessory Uses may include recycling of materials, offices and repackaging and transshipment of by-products.

c. Examples

Examples include waste transfer or composting and large recycling facilities and salvage/ junk yards.

d. Exceptions

(1) Disposal of dirt, concrete, asphalt and similar non-decomposable materials is considered fill.

6. Wholesale Sales

a. Characteristics

Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

b. Accessory Uses

Accessory Uses may include offices, product repair, warehouses, parking, minor fabrication services and repackaging of goods.

c. Examples

Examples include sale or rental of machinery; equipment; heavy trucks; building materials; special trade tools; welding supplies; machine parts; electrical supplies; janitorial supplies; restaurant equipment and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts and building hardware.

d. Exceptions

- (1)** Firms that engage primarily in sales to the general public or on a membership basis are classified as Retail Sales and Service.
- (2)** Firms that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight Movement.

H. Other Use Categories

1. Agriculture

a. Characteristics

Agriculture includes activities that primarily involve raising, producing or keeping plants or animals.

b. Accessory Uses

Accessory uses include dwellings for proprietors and employees of the use and animal training.

c. Examples

Examples include breeding or raising of fowl or other animals; barn/ stable for private animal livestock; catfish farm; riding academies; crop production; farming; pasturage; truck gardening and wholesale plant nurseries.

d. Exceptions

- (1) Processing of animal or plant products are classified as Manufacturing and Production.
- (2) Plant nurseries that are oriented to retail sales are classified as Retail Sales and Service.

2. Telecommunications facilities

a. Characteristics

Telecommunications facilities includes all devices, equipment, machinery, structures or supporting elements necessary to produce non-ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Facilities may be self supporting, guyed, mounted on poles, other structures, light posts, power poles, or buildings. Facilities shall also include intertie and interconnection translators, connections from over-the-air to cable, fiber optic, or other landline transmission system.

b. Accessory Uses

Accessory use may include transmitter facility buildings.

c. Examples

Examples include broadcast towers; telecommunications towers; and point-to-point microwave towers.

d. Exceptions

- (1) Receive-only antennas are not included in this category;
- (2) Radio and television studios are classified in the Office category; and
- (3) Radio and television broadcast facilities that are public safety facilities are classified as Basic Utilities.

5.3 Specific Use Standards

A. Adult Uses

1. Exceptions To Regulations

These regulations do not apply to the following:

- a. Any business operated by or employing licensed psychologists, licensed physical therapists, licensed athletic trainers, licensed cosmetologists, or licensed barbers performing functions authorized under the licenses held.

- b. Any business operated by or employing licensed physicians, licensed practical nurses, or licensed chiropractors engaged in practicing the healing arts.
- c. Any bookstore, movie theater, or video store, unless that business is an adult bookstore, adult movie theater, or adult video store under Section 17A(9).

2. Permit Required

- a. Any enterprise, as defined herein, that owns or operates within the City of College Station corporate limits shall first obtain a valid permit under the provisions of these regulations.
- b. Permit shall only be issued for enterprises as defined herein that are located within Commercial District C-I zones as defined herein.
- c. No permit shall be issued for an enterprise located within a one thousand foot radius of any church, school, or licensed day care center.
- d. For the purposes of this subsection, measurements shall be made in a straight line without regard to intervening structures or objects from the nearest portion of the building or structure used by the enterprise to the nearest portion of the building structure or facility as set forth in subsection 3.
- e. A business is not exempt from regulation under this ordinance because it holds a license or permit under the Alcoholic Beverage Code authorizing the sale or service of alcoholic beverages or because it contains one or more coin-operated machines that are subject to regulation or taxation, or both under State law.
- f. It shall be unlawful for the owner or operator of any enterprise as herein defined and regulated, or any other person to erect, construct or maintain any sign for the enterprise other than one attached sign as defined by the City of College Station Zoning Ordinance No. 1638 Section 12. SIGN REGULATIONS.

In addition, this one attached sign shall not contain any flashing lights or moving parts, shall be rectangular in shape and shall not exceed fifty (50) square feet in area. It shall contain no photographs, silhouettes, drawings or pictorial representations of any manner, and shall not advertise either graphically or verbally, either by explicit or literal expression, connotation or implied reference, any specified sexual activities or specified anatomical areas.

The sign may contain only the name of the enterprise and/or one or more of the following phrases: Adult bookstore, Adult movie theater, Adult lounge, parlor or cabaret, Adult novelties, Adult entertainment, Adult modeling studio, Adult video.

3. Display Of Permit

A permit issued under these regulations shall be displayed at all times in an open and conspicuous place on the premises of the enterprise for which it was issued.

a. Application For A Permit

Any person desiring a permit shall file a sworn written application with the Chief of Police, or his designate. The application shall set forth the following:

- (1)** The name of the applicant and whether the applicant is an individual, general partnership, limited partnership, corporation or other entity.
- (2)** The name under which the enterprise is to be operated and a general description of the service to be provided.
- (3)** The address and legal description of the parcel of land on which the restricted establishment is to be located.
- (4)** The name, resident address and telephone number of the manager or other individual to be principally in charge of the operation of the enterprise.
- (5)** A written declaration that the information contained in the application is true and correct.
- (6)** If the applicant is an individual, the application shall be signed and verified by the applicant. If the applicant is a partnership, the application shall be signed and verified by all of the partners thereof. If the applicant is a corporation or other entity, the application shall be signed and verified by the President and the Treasurer of such corporation or entity.

b. The application shall be accompanied by the following:

- (1)** Payment of the permit fee.
- (2)** A certified copy of the Assumed Name Certificate filed in compliance with the Assumed Business or Professional Name Act (Texas Revised Civil Statutes, Annotated Business and Commerce Code, Chapter 36), if the applicant is to operate the restricted establishment under the assumed name.
- (3)** If the applicant is a Texas Corporation, a certified copy of the Articles of Incorporation, together with all amendments thereto, shall be filed.
- (4)** If the applicant is a foreign corporation, a certified copy of the Certificate of Authority to Transact Business in the State, together with all amendments thereto, shall be filed.

- (5) A certified copy of the Certificate of Limited Partnership, together with all amendments thereto, filed in the Office of the Secretary of State under the Texas Limited Partnership Act, (Article 6132a of Texas Revised Civil Statutes), if the applicant is a limited partnership formed under the laws of the State of Texas.
- (6) A certified copy of the Certificate of Limited Partnership and the qualification documents, together with all amendments thereto, filed in the Office of the Secretary of State under the Texas Limited Partnership Act, if the applicant is a foreign or limited partnership.
- (7) A complete list of persons employed by the enterprise, including their age, date and place of birth, social security number, driver's license number and salary or wage rate. The list shall be updated monthly by a verified report to the Chief of Police, or his designate, listing all of the above information for any employees hired during the previous month.

4. Investigation, Issuance Or Denial Of Permit

Upon receiving an application for a permit, the Chief of Police, or his designate, shall conduct an investigation for the purpose of determining whether or not such enterprise complies with the location requirements as set forth in these regulations. He shall thereafter notify each applicant of their eligibility for a permit within twenty (20) days of receipt of the application. If the applicant complies with the provisions of these regulations, then the Chief of Police, or his designate, shall issue a permit. In the event that he finds that an applicant fails to comply with these regulations, then the applicant shall be so notified and be entitled to a hearing held pursuant to Paragraph I of this Section.

5. Unlawful Acts

a. False or Fraudulent Statements

It shall be unlawful for any person to knowingly make any false, fraudulent or untruthful statement, either written or oral, or in any way knowingly to conceal any material fact or to give or use any assumed name or fictitious name other than the one duly filed for record in compliance with the Assumed Business or Professional Name Act (Texas Business and Commerce Code Annotated, Chapter 36).

b. Use of Another's Permit Unlawful

It shall be unlawful for any individual, partnership, corporation or other entity to use a permit which has been issued to another individual, partnership, corporation or other entity.

c. Unlawful to Deface, Alter a Permit

It shall be unlawful for any person to counterfeit, forge, change, deface or alter a permit.

d. Violation Deemed a Misdemeanor

Where authorized by law, the violation of any provision of these regulations will be considered a misdemeanor and upon conviction thereof shall be punishable by a fine pursuant to the General Penalty set out in Chapter 1, Section 5, of this Code of Ordinances.

B. Animal Care Facilities

Animal Care Facilities are permitted in the C-1 zoning district only and are subject to the following standards:

1. Animal Care Facilities shall be located in areas where they will not disrupt the use and enjoyment of existing or future residential areas; and
2. Adequate measures may be imposed by the Planning and Zoning Commission to mitigate noise transmission beyond property lines, including, but not limited to, noise-deadening construction and/or deep open-space buffering.

C. Animal Hospital

[INSERT]

D. Bar/Nightclub/Tavern

[INSERT]

E. Bed and Breakfast

[INSERT]

F. Convenience Store

[INSERT]

G. Day Care

[INSERT]

H. Fraternity and Sorority Houses

Fraternity and Sorority Houses are permitted subject to the following standards:

1. Fraternity and Sorority Houses and meeting places shall conform to all requirements of the applicable zoning district;
2. These uses shall be compatible with the general character of the particular area within which they are proposed to be located;
3. Fraternity and Sorority Houses shall not jeopardize the health, safety or welfare of the public by their presence in the proposed location;
4. These uses shall be consistent with the spirit, intent, and objectives of this Ordinance; and

5. Fraternity and Sorority Houses shall not negatively damage, affect or curtail the uses of adjacent or nearby property.

I. Fuel Sales
[INSERT]

J. Manufactured Home Park
See Article 6.

K. Offices

Offices, located in the C-N zoning district, are permitted subject to the following standards:

1. Offices shall be limited to 2,000 square feet of floor area per establishment.

L. Personal Service Shops

Personal Service Shops, located in the C-N zoning district, are permitted subject to the following standards:

1. Personal Service Shops shall be limited to 2,000 square feet of floor area per establishment.

M. Recycling Facilities, Large

1. Purpose

The purpose of this section is to establish standards for large and small recycling facilities that will encourage recycling by offering convenient, versatile drop-off points. Certain standards that regulate signage, fencing and screening, hours of operation, security, setback, sight clearance, landscaping, parking and noise are necessary to ensure that all other goals and objectives of the Comprehensive Plan are met.

2. Single Feed Reverse Vending Machines

Single feed reverse vending machines may be located with a permit either in the interior or immediate exterior of commercial, industrial or public facilities.

3. Small Collection Facilities

Each project shall receive Project Review Committee review. Small collection facilities may be permitted when established on an improved surface in conjunction with an existing commercial or industrial use or public facility. The host facility must be in compliance with all City codes. No facility may occupy more than 500 square feet, nor occupy more than five parking spaces of the host site. All vehicular and pedestrian circulation aisles shall be unobstructed.

a. Setbacks

Each facility shall be set back at least ten feet from any Right of Way line when located in front of the host use. Side, side street, and rear setbacks established for commercial uses shall be maintained.

Containers intended for 24-hour donation of materials shall be at least forty (40) feet from any property zoned or developed for residential use. Attended facilities within 100 feet of residentially zoned or developed property shall operate only between the hours of 9:00 A.M. and 7:00 P.M.

b. Landscaping

A small collection facility shall not be placed on the host site in such a manner as to impair the landscaping required for the subject site.

c. Parking

One space will be required if an attendant is provided. Occupation of parking spaces by the collection facility and attendant shall not reduce available parking spaces below the minimum number required by ordinance for the host site.

d. Noise

Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned or developed property, otherwise noise levels shall not exceed 70 dBA.

e. Signage

Each container must be clearly labeled with a sign, limited to one per container and no larger than 20 percent of the side upon which the sign is placed, to provide information pertaining to the type of material to be collected within the container, and the name and telephone number of a person responsible for maintenance who may be contacted at all times.

4. Large Collection Facilities

Each project shall receive Project Review Committee review. Large collection facilities may be located in any commercial district upon receipt of a Conditional Use Permit, and shall be a permitted use in any industrial zoning district. Any facility located within 500 feet from property zoned or developed for residential use shall not be in operation between 7:00 p.m. and 7:00 a.m.

Mechanical processing may be permitted in C-1, C-2, and in any industrial district. Light processing, including compacting, baling, and shredding, must be directly related to efficient temporary storage and shipment of materials. No facility as described in this subsection shall abut property zoned or developed for low density residential use.

a. Setbacks and Landscaping

Setbacks and landscaping shall be those provided for the zoning district in which the facility is located. No lot line construction shall be permitted.

b. Parking

A minimum of six spaces shall be provided, plus one space per employee and for each vehicle of the facility.

c. Noise

Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned or developed property, otherwise noise levels shall not exceed 70 dBA.

d. Signage

Each container shall be clearly marked to specify materials that are accepted. The name and telephone number of the operator, and the hours of operations, shall be conspicuously displayed. All sign regulations of the district in which the facility is located shall apply.

e. Screening

Each facility shall be screened from the public right-of-way by operating in an enclosed building with no outside storage or by operating within an area enclosed by an opaque fence at least eight feet in height.

N. Religious Institution

[INSERT]

O. Restaurant

1. Restaurants, located in the C-N zoning district, are permitted subject to the following standards:

- a. Restaurants shall be limited to 1,500 square feet of floor area per establishment; and
- b. Food shall be prepared for off-premise consumption only.

2. Restaurants, located in the C-3 zoning district, are permitted subject to the following standards:

- a. Restaurants shall be limited to 1,500 square feet of floor area per establishment; and
- b. Restaurants shall not have a drive-thru.

P. Retail Sales and Service

Retail Sales and Service is permitted subject to the following standards:

1. Retail Sales and Service, in the C-N zoning district, shall be limited to 2,000 square feet of floor area per establishment.

2. Retail Sales and Service, in the NG-1 zoning district, shall be limited to 7,500 square feet of floor area per establishment.
3. Retail Sales and Service, in the NG-2 zoning district, shall be greater than 7,500 square feet of floor area per establishment.

Q. Salvage/Junk Yards

Salvage and Junk Yards is permitted subject to the following standards:

1. Salvage or junk yards for pipe, sheet metal, automobiles, lumber, etc., shall be visually screened on front, rear and all sides; and
2. These uses shall have a solid six foot high fence.

R. Wireless Telecommunication Facilities (WTF)

1. Purpose

The purpose of this section is to establish clear regulations pertaining to Wireless Telecommunications Facilities that are consistent with Federal and State law. The City Council of the City of College Station finds that:

- a. It is in the public interest to promote competition in high quality telecommunications services and the availability of broadband transmission services to all residences and business;
- b. It is in the public interest for the City to protect the public safety and welfare, safeguard community land values, promote orderly planning and development and preserve historic sites, structures and areas. Wireless Telecommunications Facilities should not be allowed to detract aesthetically from the visual quality of surrounding properties or the City; and
- c. The proliferation of Wireless Telecommunications Facilities negatively impacts the appearance and character of the community. Therefore the City should endeavor to minimize the size, number and obtrusiveness of antennas and towers. Collocation and stealth technologies are strongly encouraged to mitigate negative visual impacts and reduce the total number of towers within the City.

2. WTF Use Categories

In order to expedite the siting and review process, WTF's have been divided into use categories. The review process is more thorough as the intensity of the use increases.

a. Unregulated Facilities

The WTF's listed below are not regulated by this ordinance and do not require review or approval. This does not exempt these facilities from other applicable City Codes, Ordinances, and Permits.

- (1) Direct-to-home service antenna, citizen's radio band antenna, amateur radio antennas.
- (2) Parabolic antenna less than 2 meters in diameter.
- (3) Omni-directional antenna (whip antenna) 6" or less in diameter and not extending more than 12' above support structure.
- (4) Directional antenna 1 meter or less measured across the longest dimension and not extending over 12' above support structure.
- (5) Public safety tower or antenna.

b. Intermediate Facilities

- (1) New transmission tower less than 35 feet (10.5 meters) in height.
- (2) Parabolic antenna over 2 meters in diameter.
- (3) Omni-directional antenna (whip antenna greater than 6" in diameter and/or extending 12' above the support structure.
- (4) Directional antenna more than 1 meter measured across the longest dimension and extending over 12' above support structure.
- (5) Attached WTF's.

c. Major Facilities

New transmission tower greater than 35 feet (10.5 meters) in height.

3. General Regulations

a. Zoning

All Intermediate WTF's are permitted in the following zoning districts:

A-O	M-1	C-1	PDD (except PDD-H)
A-P	R&D	C-2	C-B
WPC	NG	C-3	M-2

Major WTF's are permitted in the following zoning districts:

M-2

Major WTF's are allowed in the following zoning districts with a Conditional Use Permit as discussed in Section D-3:

A-O	M-1	C-1	C-3
A-P	R&D	C-2	

b. Setbacks

The standard setbacks for each zoning district will apply to WTF's with additional setbacks or separation being required in the sections below. To protect citizens in their homes, transmission towers shall be placed a distance equal to the height of the tower away from any residential structure or R-1, R-1A, or R-2 zone boundary.

c. Proximity To Major Thoroughfares

To preserve and protect the City's major thoroughfares and entrances to the City, additional setbacks are placed on WTF's proposed to be placed near these areas. The setback for these areas is determined by measuring from the centerline of the right-of-way of the thoroughfare. Applicable thoroughfares include freeways and expressways, major arterials and minor arterials, as shown on the Thoroughfare Plan.

(1) Intermediate WTF's must be 150' from applicable thoroughfares.

(2) Major WTF's must setback from applicable thoroughfares by the height of the tower x3.

d. Separation Between Towers

In order to prevent tower proliferation and protect the City's natural beauty and skyline, the number of transmission towers per square mile has been limited. New transmission towers must be placed a minimum distance from existing towers as described here:

(1) New transmission towers 35 feet or less in height shall be separated from existing towers by a minimum distance of 1500 feet.

(2) New transmission towers more than 35 feet and less than 100 feet in height shall be separated from existing towers by a minimum distance of 2500 ft.

(3) New transmission towers 100 feet or more in height shall be separated from existing towers by a minimum distance of 3500 ft.

e. Height Limitations

All WTF's are subject to the normal height restrictions for each zoning district where permitted by right. In any zoning district where a tower is a conditional use, the allowable height is determined through the review of the visual impact analysis.

In no case shall a proposed transmission tower exceed 150' within the city limits, except where a height variance is granted by the Zoning Board of Adjustments to allow a tower or antenna that demonstrates a hardship that can only be remedied by locating on a proposed site within the city limits.

f. Landscaping, Screening and Aesthetic Standards

The following requirements shall govern any transmission tower or any parabolic antenna larger than 2 meters.

- (1) Landscaping: Refer to Section 7.2 of the Zoning Ordinance. Plant materials and/or fencing that effectively screens the WTF site from view of the public right-of-way will be required.
- (2) New transmission towers shall maintain a flat (not shiny, reflective, or glossy) finish or be painted in accordance with any applicable standards of the FAA (unfinished galvanized steel is not acceptable).
- (3) If an antenna is installed on a support structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- (4) WTF's shall not be artificially lighted with the exception of motion detectors as security lighting, unless required by the FAA or other applicable authority. If lighting is required, the City may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding properties.
- (5) Towers may not be used to exhibit any signage or other advertising.

g. Special Districts and Overlay Districts

Special districts have been established in the City for the purpose of protecting their historical significance and aesthetic qualities. In some cases, WTF's are allowed in these areas with the following restrictions.

To preserve the aesthetic beauty and architectural significance and promote economic growth, intermediate use WTF's (except new transmission towers) are allowed in the listed districts. They shall be placed behind the imaginary front of the most major (largest gfa) structure on site or behind any building face abutting a right-of-way. Additionally, they must be located out of sight of public right-of-way either by screening, strategic siting or stealth technology.

These requirements pertain to the following special districts:

- (1) Northgate
- (2) Wolf Pen Creek
- (3) Overlay Districts
- (4) PDD (except PDD-H)
- (5) C-B

h. Stealth Technology Design

Any WTF with appropriate stealth technology design approved by the Planning & Zoning Commission may be located in any zoning district. Approved WTF's do not have to meet the additional setbacks for tower separation (section C.4) or thoroughfares (section C.3).

i. Attached WTF's

WTF's may attach to the exterior of any non-residential and non-historic building within any zoning district provided the antenna and antenna support structure or equipment is mounted flush with the vertical exterior of the building or projects no more than 24 inches from the surface of the building to which it is attached and does not raise the height of the building more than 10 feet and does not violate the maximum height restriction of that zoning district. The attached WTF must be textured and colored so as to blend with the surrounding surface of the building.

4. Review Process

a. WTF Registration

All intermediate and major WTF's must be registered with the City. This will allow the City to keep track of all WTF's within the city limits, facilitate the review process and aid in long range planning.

b. Site Plan Review

Site plans shall be submitted pursuant to the provisions of Section 10 of the zoning ordinance. All property owners within 500 feet of any property line of the host site for the WTF site shall be notified by the Planning Office. In addition to the requirements set forth in Section 10, the following is required:

- (1)** A WTF Facility Plan drawing that identifies the location, height, and type of all existing applicant-owned wireless telecommunications facilities in Brazos County and the proposed facility must be submitted.
- (2)** The location, type, and height of the proposed facility. At least three collocation alternatives to the applicant's development proposal along with proof of a genuine effort in collocating on or attaching to an existing support structure. A certified letter addressed to potential lessors is required in addition to evidence that demonstrates that no existing tower or support structure can accommodate the applicant's proposed WTF. Any of the following may be submitted as evidence:

- (a) No existing structures are located within the geographic area required to meet applicant's engineering requirements.
 - (b) Existing structures are of insufficient height to meet applicant's engineering requirements.
 - (c) Existing structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - (d) Electromagnetic interference would be caused between the proposed and existing facilities.
 - (e) The fees, costs, or contractual provisions required by the owner in order to share an existing structure or to adapt an existing support structure for sharing exceed those for new tower development.
 - (f) The applicant demonstrates that there are other limiting factors that render existing structures unsuitable.
- (3) A visual impact analysis, presented either with drawings or photographs. Four views or elevations shall be submitted looking toward the site (typically north, south, east and west), including site and the surrounding properties measured from the center point of the tower out to a distance equal to three times the height of the proposed tower. This drawing will depict a "skyline" view showing the entire height of the proposed tower and the structures, trees, or any other objects contributing to the skyline profile. The proposed tower, drawn to scale, should be included in the view.
- (4) Certification of compliance with FCC regulations and emission standards.
- (5) Notification of an impending Environmental Assessment required by the National Environmental Protection Agency (NEPA) and a copy when the assessment is completed.
- (6) A letter addressed to the City declaring an intent and willingness to construct a proposed tower that would allow at least 2 other service providers to locate there.

c. Conditional Use Permits

Some major WTF's must receive a conditional use permit (CUP) (section C.1) under the procedures set forth in Section 14 of the zoning ordinance. In addition to the standard guidelines, the following additional factors shall be considered by the Planning & Zoning Commission when determining whether to grant a CUP for WTF's:

- (1) Height of the proposed tower, surrounding topography and surrounding tree coverage and foliage as they relate to:

- (a) skyline impact, examining whether the proportions of the structure appears to dominate or blend in with the surrounding environment.
 - (b) shadow impact, whether or not the proposed tower will cast shadows that would prevent the reasonable use of enjoyment of surrounding properties.
- (2) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
 - (3) Proximity of the tower to residential structures and residential district boundaries.
 - (4) Economic impact on adjacent and nearby properties.
 - (5) Proposed ingress and egress.
 - (6) Availability of suitable alternatives and/or existing support structures.

5. Abandonment

Any WTF that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such a facility shall remove same within 60 days of receipt of notice from the City notifying owner of such abandonment. If such facility is not removed within said 60 days, the City may, remove such facility at the property owner's expense. If there are two or more users of a single WTF, then this provision shall not become effective until all users cease operations on the tower.

5.4 Accessory Uses

A. General

Any Accessory Use customarily associated with a primary use which may be permitted by right consistent with applicable provisions of this Unified Development Ordinance (UDO) may be permitted. The establishment of such Accessory Uses shall be consistent with the following standards

- 1. The Accessory Use shall be subordinate to and serve a primary use or principal structure;
- 2. The Accessory Use shall be subordinate in area, extent or purpose to the primary use served;
- 3. The Accessory Use shall contribute to the comfort, convenience or necessity of occupants of the primary use served;
- 4. The Accessory Use shall be located within the same zoning district as the primary use; and

5. Accessory Uses located in residential districts shall not be used for commercial purposes other than legitimate Home Occupations, and is not rented to other than bona fide servants employed on the premises and members of the family of the occupant(s) of the principal structure

B. Accessory Buildings and Structures

No Accessory Building and structure shall be erected in any required setback area. Excluded from this requirement is any portable storage building/structure if the Building Official has determined that it does not require a Building Permit.

C. Home Occupation

A Home Occupation is that Accessory Use of a dwelling that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling:

1. Permitted Home Occupations

Examples of permitted home occupations include, but are not limited to:

- a. Dress making, sewing and tailoring;
- b. Painting, sculpturing or writing;
- c. Telephone answering;
- d. Home crafts such as model making, rug weaving, lapidary work etc.
- e. Tutoring, limited to three students at a time;
- f. Computer programming;
- g. Office, professional or service;
- h. Bed & Breakfast Inn;
- i. Software Development;
- j. Data Entry;
- k. Telephone Solicitation; or
- l. Mail Order (without distribution)

2. Exclusions to Home Occupations

No Home Occupation shall be permitted that does any of the following:

- a. Changes the outside appearance of the dwelling;
- b. Is visible from the street;

- c. Generates traffic, parking, sewerage, or water use in excess of what is normal in the residential neighborhood;
- d. Results in the Off-Street or On-Street parking of more than two vehicles at any one time not owned by members of the occupant family;
- e. Creates a hazard to persons or property;
- f. Results in electrical interference;
- g. Is a nuisance;
- h. Results in the outside storage or display of anything; or,
- i. Includes employment within the home or on the premise of persons other than members of the occupant family.

3. Prohibited Home Occupations

The following are prohibited as Home Occupations:

- a. Barber, beauty and other personal service shops;
- b. Animal hospitals, stables, or kennels;
- c. Dance studios, schools;
- d. Mortuaries;
- e. Private clubs;
- f. Repair shops;
- g. Restaurants;
- h. Automobile paint or repair shops;
- i. Doctor, dentist, veterinarian or other medically related office; or
- j. Rooming/Boarding House.

D. Satellite Dishes

5.5 Temporary Uses

A. Purpose

Temporary Uses, as set forth below, are declared to have characteristics which require certain controls in order to insure compatibility with other uses in the district within which they are proposed for location.

B. Temporary Concrete Products

Temporary Concrete Products shall be located in all zoning districts as Conditional Uses subject to the standards set forth in Section 3.15 of this Ordinance.

C. Temporary Sales Offices and Model Homes

The following regulations shall apply to the conduct of Temporary Sales Offices and Model Homes within residential zoning districts:

1. Temporary Sales Offices and Model Homes may be located within residential districts as part of an on-going residential development;
2. Any Temporary Sales Office and Model Home shall be removed or converted to a use permitted within the district when Certificates of Occupancy have been issued to 80% of the associated residential units or when use as a sales office or model home has ceased; and
3. Signage shall be limited to one sign not exceeding 16 square feet, either attached or freestanding. If freestanding it shall not be within any right-of-way.

D. Temporary Parking Lots

When additional parking, in excess of what this Unified Development Ordinance (UDO) requires and/or in excess of what was installed when a facility first opened, is necessary to accommodate business or patronage that was unanticipated when the facility first opened, this parking may be supplied using the standards below. All such parking lots must receive site plan approval from the Planning and Zoning Commission following the site plan review procedures outlined in Section of this Ordinance. If these standards are allowed, the parking lot may exist on a temporary basis, not to exceed twelve months. The beginning date of the twelve month period shall be determined by the Commission.

1. Standards

Temporary Parking Lots are subject to the following standards:

- a. The surface of the parking lot may be gravel or some other temporary material as approved by the City Engineer;
- b. The lot must be designed to accommodate drainage in accordance with the City's Drainage Ordinance. Curbs, gutters or other improvements may be required where necessary to comply with drainage regulations as approved by the City Engineer;

- c. Entrance to the lot from any public right-of-way is at the discretion of the Commission based on recommendation of the City Engineer;
- d. When entrance is allowed to the lot from a public right-of-way, that portion of the entrance located in the right-of-way must be paved with an all weather surface as approved by the City Engineer; and
- e. It must be shown that steps will be taken to prevent the blowing of dust onto adjacent properties and the tracking of mud onto public rights-of-way.

2. Review By The Planning and Zoning Commission

The Planning and Zoning Commission shall take into consideration the following when reviewing any request for a Temporary Parking Lot:

- a. Safe and convenient traffic control and handling, both internal and external;
- b. Assured pedestrian safety;
- c. Efficient and economic access for public utility and emergency vehicles;
- d. Runoff, drainage and flood control;
- e. Impact on adjacent land uses; and
- f. Whether in a particular case the above standards will be detrimental to the public health, safety or general welfare.

The Commission may impose any additional standards necessary to the protection or preservation of the public health, safety or general welfare.

3. Future Compliance

At the end of the twelve month period the lot must be brought up to full compliance with parking lot standards applicable to the use as required by this UDO or the lot, including all paving material, must be removed and the area no longer used for the parking of vehicles. If the lot is removed, the area must be sodded, seeded or hydromulched with grass within ten days of removal. Driveway access shall be removed and curb and gutter replaced.

Article 6. District Development Standards

6.1 General

A. Visibility At Intersections In All Districts

On a corner lot in any district, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impair vehicle drivers' vision at intersections, within a triangle defined by the property lines and a line joining two points located 20 feet back from the property lines intersection; except that fences, walls, and/or hedges may be permitted provided that such fences, walls, and/or hedges do not impair vision from three feet to six feet above the curb line elevation.

B. Minimum Requirements

No building plot shall have lower or less stringent standards or dimensions than those prescribed for respective zones in this Article.

C. Erection of More Than One Principal Structure on a Lot or Building Plot

1. In any district, more than one structure housing a permitted use may be erected on a single lot or building plot, but yard and other requirements of this ordinance must be met for each structure as though each were on an individual lot or building plot.
2. A minimum side setback of 7.5 feet is required for each building or group of contiguous buildings.

D. Structures To Have Access

Every building hereafter erected or moved shall be on a lot or building plot with direct access on a public street, or with access to an approved private street. All structures shall be so located on lots or building plots as to provide safe and convenient access for servicing, fire protection, and the required on-site parking.

E. Major Recreational Equipment

For the purpose of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No such equipment shall be used for living, sleeping, home occupation or household purposes when parked or stored on a residential lot or in any location not approved for such use.

6.2 Residential District Standards

A. Residential Dimensional Standards

The following table illustrates the dimensional standards that apply in the City's base Residential districts:

Standard	Residential Zoning Districts							
	A-O	R-E	RS-5	RS-8	RM-9	RM-12	RM-18	RM-24
Lot Dimensions								
Lot Area, Min.	5 acres	1 acre	5,000 SF	8,000 SF	3,500 SF	2,000 SF	none	none
Lot Width, Min.	none	none	50 feet	none	35 feet	20 feet	none	none
Lot Depth, Min.	none	none	100 feet	none	100 feet	100 feet	none	none
Minimum Yards								
Front Yard	50 feet	50 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
Rear yard	25 feet	50 feet	25 feet	25 feet	20 feet	20 feet	25 feet	20 feet
Side Yard	20 feet	25 feet	7.5 feet	7.5 feet	7.5 feet	---	---	---
Side Yard, St.	15 feet	25 feet	15 feet	15 feet	15 feet	15 feet	15 feet	15 feet
Height, Max.	35 feet	35 feet	35 feet	35 feet/ 2.5 story	35 feet/ 2.5 story	35 feet	35 feet/ 2.5 story	45 feet
Net DU/Acre Max.	none	1.0	8.0	6.0	9.0	12.0	18.0 feet	24.0

B. Zero Lot Line Development

1. Lot line construction on interior lots is allowed where access to the rear of the building is provided on the site or by dedicated right-of-way or easement.
2. Zero lot line construction of residence is allowed where property on both sides of lot line is owned and/or developed simultaneously by single party. Development under lot line construction requires prior approval by the Zoning Official. In no case shall a single family residence or duplex be built within 15 feet of another building.

C. Two-Family Development

1. The minimum lot width for a two-family dwelling may be reduced to 30 feet/unit when all required off-street parking is provided in the rear or side yard.
2. Where parking is provided in the front yard, an eight foot (8') setback shall be required between the property line and the nearest side of the parking pad. This 8' setback area must contain a 3' screen consisting of a continuous berm, hedge, or wall. In addition, an eight foot (8') setback shall be required between the dwelling unit and the nearest side of the parking pad.
3. Each unit shall contain 200 landscape points. All plantings must be drought-resistant and native to the College Station area.

D. Townhouse or Rowhouse Development

1. A minimum side setback of 7.5 feet is required for each building or group of contiguous buildings.
2. The minimum front setback may be reduced to 15 feet when approved rear access is provided, or when side yard or rear yard parking is provided.

E. Multifamily Development

1. A minimum side setback of 7.5 feet is required for each building or group of contiguous buildings.

F. Accessory Structures

1. The following restrictions shall apply to accessory buildings, structures or uses other than garages, carports and living quarters for family or servants: a minimum rear setback of 15 feet is required; and a maximum building eaves height of 8 feet is allowed.
2. The following restrictions shall apply to garages and carports: a minimum rear setback of 20 feet is required; and a minimum side street setback of 20 feet is required for garages or carports that face onto side streets.
3. The following restrictions shall apply to accessory buildings or structures used for living quarters for family or servants: a minimum rear setback as stated in the table above for the district in which the accessory building or structure is located is required; and a maximum size not to exceed 25% of the area of the principal structure is allowed. On lots with approved rear access all setbacks shall be measured from the nearest boundary of the access easement or alley. On all other lots rear setbacks shall be measured from the rear property line. In no event shall more than 30% of the rear yard area (that portion of the yard between the rear setback line of the principal structure and the rear property line) be covered with accessory buildings, structures or uses.

G. Residential Design Standards for R-MH District

1. Dimensional Requirements

RMH District	
Park Area, Minimum	2 acres
Density, Maximum	10 dwelling units per acre (gross density)
Setbacks	
Manufactured Home to Public Street	25 feet
Manufactured Home to Lot Line	15 feet
Manufactured Home to Interior Street, Parking or Common Area	10 feet
Separation Requirements	
Between Two Manufactured Homes	15 feet
Manufactured Home to Private Storage Building	None Required

2. Site Plan/Landscaping Requirements

The construction, reconstruction, alteration, or enlargement of a Manufactured Home Park must be pursuant to an approved site plan. In addition to the requirements contained in paragraph 1 above, the following development requirements shall be provided:

a. Buffer Yards

- (1)** All Manufactured Home Parks located adjacent to property developed as residential, commercial or industrial uses shall provide screening of six foot high fences combined with a 20' landscaped area along the property boundary line separating the park and such adjacent uses. Four canopy trees (minimum 2' caliper), 16 understory trees (minimum 4' - 5' in height), and 24 shrubs (minimum 2'-3' in height) shall be provided for every 100 lineal feet of common boundary.
- (2)** Parking areas may be located within common parking areas or on individual Manufactured Home lots, provided that the parking required for each Manufactured Home must be located within 200' of the home.
- (3)** Each Manufactured Homes lot shall have access to public utilities, and it shall have vehicular access to either a public right-of-way or private drive.

3. Permits Required

The placement or replacement of an individual mobile home or a HUD-code manufactured home within an approved Manufactured Home Park shall be pursuant to a Location Permit issued by the Building Official and Administrator. The application for such a permit shall be accompanied by a location plan including the following information:

- a. Location plan showing the dimension of the site, required setback lines, the placement of the mobile or manufactured home, the designated parking, and any existing structures on the same or adjoining lots.
- b. A signed, dated application, requesting permission to locate the structure on the lot.
- c. A legal description of the location of the property within the City.
- d. An indication of the proposed delivery route to the designated site. Deliver routes shall not include residential streets, unless the designated site has sole frontage on the affected residential street.

An Electrical Permit will also be required before any electrical service may be extended to a mobile or manufactured home. Application shall be in accordance with the most current edition of the National Electrical Code.

4. Accessory Uses

The following Accessory Uses shall be permitted in the R-7 zoning district of this Ordinance:

- a. Laundry Buildings;
- b. Maintenance Buildings; and
- c. Recreational Areas.

5. Individual Manufactured Home Requirements

a. Skirting

All Manufactured Homes within the park shall be skirted with brick vinyl, or other solid skirting materials within four months of occupancy of the lot.

b. Trailer Hitches

all trailer hitches and other devices designed to aid in the transport of the manufactured or mobile homes must be removed within four months of occupancy of the lot.

H. Required Yards

Yards as required in this UDO are open spaces on the lot or building plot on which a building is situated and which are open and unobstructed to the sky by any structure except as herein provided. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building, building plot, or use for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building, building plot or use.

1. Front Yard Required

A yard facing and abutting a street and extending across the front of a lot or building plot between the side property lines and having a minimum horizontal depth measured from the front property line to a depth of the setback specified for the district in which the lot is located. The required front setback line represents the line in front of which no building or structure may be erected except that porches and steps open on three sides located along not more than one-half (1/2) of the building may project a maximum of six feet into the required front yard. Balconies, decks, signs and marquees located more than eight feet from the ground may project up to six feet into the required front yard.

2. Rear Yard Required

A yard extending across the rear of the lot or building plot between the side property lines and having a minimum depth measured from the rear property line as specified for the district in which the building plot is located. There shall be no intrusion into the required rear yard by stairways, balconies or other building extensions to more than six feet.

3. Side Yard Required

A yard located on a lot or building plot extending from the required rear yard to the required front yard having a minimum width measured from the side property line as specified for the district in which the building plot is located.

I. Yard Fences

Fences of wood, chain-link or similar material, and less than eight feet in height; and, fences of brick, stone, concrete or similar material, and less than six feet in height, shall not be construed to be structures, nor shall they require a Building Permit.

NEW

6.3 Alternative Residential Development Options

A. Purpose

The alternative development options of this section allow for variety in development standards while maintaining the overall character of a single-dwelling neighborhood. These options have several public benefits:

- 1.** They allow for development which is more sensitive to the environment;
- 2.** They allow for the preservation of open and natural areas;
- 3.** They promote better site layout and opportunities for private recreational areas;
- 4.** They promote opportunities for affordable housing; and
- 5.** They promote energy-efficient development.

B. General

The alternative development options listed in this section are allowed by-right unless otherwise expressly stated. The project must comply with all of the applicable development standards of this section. The project must also comply with all other development standards of the base zoning district unless those standards are superseded by the standards in this section.

C. Zero Lot Line

1. Description

A zero lot line development is where houses in a development on a common street frontage are shifted to one side of their lot. This provides for greater usable yard space on each lot. These developments require that planning for all of the house locations be done at the same time. Because the exact location of each house is predetermined, greater flexibility in site development standards are possible while assuring that single-dwelling character is maintained.

2. Applicability

- a. Zero lot line developments are allowed for houses in the zoning districts.

3. Procedure

Zero lot line developments are allowed by right. Review for compliance with the standards of this section shall occur during the subdivision platting process. Restrictions that assure the minimum distance between houses and any required easements must be recorded on the plats of the applicable lots. Proof of such recordation must be submitted as part of the building permit application.

4. Setbacks

The side building setback on one side of the house may be reduced to zero. This reduction does not apply to the street side setback or to the interior side setback adjacent to lots that are not part of the zero lot line project.

5. Additional Standards

a. Distance Between Houses

The minimum distance between all buildings in the development must be equal to twice the required side setback required by the underlying zoning district. A deed restriction must be recorded on the deed of each applicable lot to ensure continued compliance with this setback.

b. Eaves

The eaves on the side of a house with a reduced setback may project a maximum of 18 inches over the adjacent property line. In this case, an easement for the eave projection must be recorded on the deed for the lot where the projection occurs.

c. Maintenance Easement

An easement between the two property owners to allow for maintenance or repair of the house is required when the eaves or side wall of the house are within four feet of the adjacent property line. The easement on the adjacent property must provide at least five feet of unobstructed space between the furthestmost project of the structure and the edge of the easement.

d. Privacy

If the side wall of the house is on the property line, or within three feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, are allowed.

D. Cluster Development

A cluster development is a residential subdivision in which the lots are allowed to be smaller (in area and width) than otherwise required for the underlying, base zoning district, but in which the overall density cannot exceed the maximum density limit for the underlying zoning district. Through the cluster development option, a subdivision can contain no more lots than would otherwise be allowed for a conventional subdivision in the same zoning district, but the individual lots within the development could be smaller than required in a conventional subdivision. Smaller lot sizes within a cluster development are required to be offset by a corresponding increase in open space.

1. Conflict with Other Regulations

If there is a conflict between the cluster development standards of this section and any other requirement of this UDO, the standards of this section control. Otherwise, a cluster development is subject to all other applicable requirements of this Ordinance.

2. Where Allowed

Cluster developments are allowed in all zoning districts.

3. Approval Procedure

Cluster Developments are subject to the subdivision procedures set forth in Section 3.9 of this Ordinance.

4. Density

A cluster development is subject to the maximum density requirements of the base zoning district.

5. Lot Size

There is no set minimum lot size (area or width) requirement within a cluster development. Individual lot sizes must be adequate to meet all required density and development standards. Minimum lot sizes may be established by the Planning and Zoning Commission during the subdivision process.

6. Setbacks and Building Separations

The minimum setback standards of the base zoning district apply along the perimeter of a cluster development. All detached structures within a cluster development must be separated by a minimum distance of ten feet.

7. Open Space

a. On-Site Open Space

Cluster developments shall be subject to the minimum on-site open space standards of the base zoning district, if applicable.

b. Common Open Space

(1) Minimum Requirement

Common open space is required within a cluster development to ensure that the overall density within the development does not exceed the maximum density allowed by the underlying zoning district. Common open space must be provided in an amount at least equal to the difference between:

- (a)** The actual, average lot area per dwelling unit within the cluster development; and
- (b)** The required lot area per dwelling unit for conventional development within the underlying base zoning district.

(2) Use of Common Open Space

Common open space must be set aside and designated as an area where no development will occur, other than project-related recreational amenities or passive open space areas. The Planning and Zoning Commission may require that up to 50 percent of required common open space be useable open space, if deemed necessary by the Planning and Zoning Commission to ensure adequate recreational amenities for residents of the development. the

6.4 Nonresidential District Standards

A. Commercial Design Standards for C-N District

The following special restrictions are applicable to all developments located within C-N zoning Districts:

- 1.** 10,000 square feet total maximum building floor area.
- 2.** No C-N zoning district shall exceed 2 acres in area.
- 3.** Adjacent C-N zoning districts shall not exceed a combined total of 2 acres in area.
- 4.** Minimum depth: 1 acre or less site - 150 feet; site greater than 1 acre - 250 feet.

5. No restaurants providing on-premise consumption or commercial amusements shall be allowed.

B. Commercial Design Standards for C-NG District

The area is described as follows:

1. Project Review Required

All projects require P.R.C. review. Applicants shall file an application form with the Administrator no less than ten days prior to the P.R.C. meeting at which the proposal is to be reviewed. The applicant shall be notified of the time, date, and place of the P.R.C. meeting. Reports shall be kept for all P.R.C. meetings. The P.R.C. shall file with the Administrator a written report on the final plan approved by the Committee, together with a copy of the final plan itself, certified by the Administrator for compliance with the P.R.C. requirements. Refer to Section 3.11 for guidelines on preparation of a site plan.

2. Special Restrictions

In reviewing a project, the P.R.C. may require traffic and parking impact studies, a review of existing occupancy, and other reasonable appropriate data to determine the impact of the project. Additional parking and landscaping may be required if determined to be necessary to relieve this impact.

C. Nonresidential Dimensional Standards

The following table illustrates the dimensional standards that apply in the City's nonresidential districts.

Standard	Nonresidential Zoning Districts						
	C-N	C-O	C-C	C-G	C-H	M-1	M-2
Lot Dimensions							
Lot Area, Min.	---	none	none	none	none	none	none
Lot Width, Min.	24 feet	24 feet	24 feet	24 feet	24 feet	100 feet	none
Lot Depth, Min.	---	100 feet	100 feet	100 feet	100 feet	200 feet	none
Minimum Yards							
Front Yard	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
Rear yard	15 feet	15 feet	15 feet	40 feet	15 feet	15 feet	15 feet
Side Yard	---	---	---	40 feet	---	---	--
Side Yard, St.	15 feet	15 feet	15 feet	15 feet	15 feet	15 feet	25 feet
Maximum Height	35 feet	None	None	None	35 feet	None	None

D. Shopping Centers, Multiple Building Complex and Large Projects

Plot plans of all shopping centers and multiple building complexes and plot plans of other large scale projects which would cause a considerable impact on the City's facilities shall be reviewed and approved by the City Technical staff prior to the issuance of a building permit by the Building Official. Such review under this subsection shall be restricted to the review of the impact of such project on: (1) the neighboring land and environment, (2) traffic generation, (3) proposed circulation patterns and implications to safety in the project area, and (4) the resultant impact of such traffic generation and circulation upon adjacent street systems. The Administrator or the developer of the

project may refer the plot plans to the City Council prior to the issuance of a building permit for final resolution. No building permit will be delayed more than thirty (30) days pending resolution of such building permit request unless the building permit has been formally denied by the Building Official or Administrator. The building permit, when issued, shall require construction according to the approved plot plan, construction plans and specifications.

E. Business Park (B-P) District

1. Performance Criteria

- a. The following criteria shall be met for any use in this district:

The buffer yard is a combination of setback and visual barrier with the plantings required thereon. Both the amount of land and type plantings are designed to separate different zoning districts from each other and to separate different types of land uses from each other. Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the boundary line. They shall not be located on any portion of an existing or dedicated public or private street or right-of-way. The building setback area may be contained within the buffer yard area. Buffer areas may be excluded from the land area used to calculate landscape point requirements under Section 11, and the plantings thereon do not count toward the required landscape points. Buffer areas shall be irrigated. Irrigation is optional when using the buffer yard with the masonry wall. Buffer areas may be used for passive recreational activities or storm water management. They may contain pedestrian, bike or equestrian trails provided that no plant material is eliminated, the required width is maintained and all other regulations are met. In no event, shall any active recreation activities occur such as swimming pools, tennis courts, etc. No parking or building shall be allowed in any buffer yard area. No required buffer yard plantings shall be located in any storm water detention area. Buffer yards must be in place prior to an approved request for R&D zoning becoming effective. Buffer yard plantings and any wall details must be approved by the Administrator prior to installation and must meet the specifications in the City of College Station's approved plant list for buffers and wall specifications. Fifty (50%) percent of buffer yard plantings must be evergreen.

- b. Buffer yards are required in the following circumstances:

- (1)** When this district abuts residentially zoned land or land that has been platted for residential development,
- (2)** When this district is separated from residentially zoned land or land that has been platted for residential development by a street (any required streetscape plantings shall be counted toward any required buffer yard plantings)

- (3) When this district abuts land that is not zoned or developed for residential uses, but where an existing residence(s) is located within 100 feet of the R&D boundary line, the buffer yard shall extend 100 feet along the common property line and shall be placed in such a location as to maximize screening of the existing residence from the proposed development and any adverse impacts of the development. This buffer yard location shall be established at the time of site plan approval and must be in place prior to building permit issuance on the R&D property.
- (4) When this district abuts non-residentially zoned or developed property there is no buffer yard requirement.
- (5) In cases where the property does not equal a multiple of 100 feet, the buffer yard planting shall still be required, based on a percentage of the length present. If the buffer yard area is already heavily wooded then additional plantings and irrigation may not be required. Calculations that result in portions of trees or shrubs (.5 or greater) shall be rounded upward.

Minimum Lot Dimensions: The minimum lot width and depth shall be 100 feet each, but the minimum lot area shall also be 20,000 square feet.

Impervious Surface: Impervious surface is a measure of land use intensity and is the proportion of a site occupied by impervious surfaces including, but not limited to, buildings, sidewalks, drives and parking. No more than 70% of a lot or site in this zoning district shall be covered with an impervious surface.

Floor Area Ratio: Floor Area Ratio (FAR) is a non-residential land use intensity measure analogous to density. It is the sum of the areas of several floors of a building compared to the total area of the site. The maximum FAR in this district shall not exceed .50.

Building Setbacks: The minimum building setback from all property lines shall be 30 feet. When abutting non-residentially zoned or used land the rear setback may be reduced to 20 feet.

Building Height: No portion of any structure or building in this district and within 75 feet of an existing platted residential property line or within 100 feet of an existing residence on an unplatted tract, shall exceed one story or 20 feet in height. When greater than 75 feet from a residential property line, the maximum height shall not exceed 2 stories or 35 feet..

Building Materials: All main buildings shall have not less than ninety (90%) percent of the total exterior walls, excluding doors, windows and window walls, constructed or faced with brick, stone, masonry, stucco or precast concrete panels.

Lighting: All exterior lighting designed for security, illumination, parking lot illumination or advertising shall be designed pointing downward to ensure that it does not extend into adjacent residential properties. Nighttime lighting shall be low level lighting and so situated as to not directly or indirectly extend into adjacent residential properties.

Utility Service: All new utility services or upgrading of existing services shall be installed underground according to City standards.

Signs: Any detached or freestanding signage shall meet the criteria established in Section 12 of the Zoning Ordinance relating to low profile signs. Materials shall match building facade materials

Any applicable State and/or Federal regulations regarding the following criteria shall be followed as well.

Noise: All uses and activities conducted within this zoning district shall conform to the requirements and limitations set forth in the City of College Station Code of Ordinances, Chapter 7, Section 2: Noise.

Odors: No operation shall permit odors to be released which are detectable at the property line.

Other District Regulations: Uses should be designed to provide adequate access and internal circulation such that travel through residentially zoned or developed areas is precluded. All processes are to be conducted inside buildings and there shall be no outside storage or business activity. Any business operations occurring during the hours between 7 p.m. and 6 a.m. must meet all the performance criteria established in this section, as well as limit vehicular access into the site through a designated access point that mitigates any adverse impacts of the traffic on surrounding residential areas.

2. Additional Standards

This section may be applied to any conditional use proposed in this district when either the Administrator or City Engineer believe that the existing performance standards contained in this ordinance are insufficient to address the proposed use because of its technology or processes and thus, will not effectively protect adjacent existing or future land uses, one or both shall so advise the P&Z in writing. In such cases the Planning & Zoning Commission shall hold a hearing to determine whether a professional investigation or analysis should be performed to identify and establish additional reasonable standards. If so determined, based on the information presented at the hearing, the Planning & Zoning Commission will identify the areas to be investigated and analyzed and will direct the staff to conduct the appropriate research necessary to develop standards for successful management of the new project. Any and all costs incurred by the City to develop additional standards shall be charged to the applicant and included as an addition to the cost of either the building permit fee or zoning application fee.

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6.5 Measurement and Exceptions

A. Density

Density refers to the number of dwelling units per unit of land area. Density is calculated by dividing the number of dwelling units on a site by the gross area (in acres) of the site on which the dwelling units are located. The number of dwelling units allowed on a site is based on the presumption that all other applicable standards will be met. The maximum density established for a district is not a guarantee that such

densities may be obtained, nor shall the inability of a development to achieve the stated maximum density be considered sufficient justification for varying or otherwise adjusting other density, intensity or dimensional standards.

B. Lot Area

1. Measurement

Lot area refers to the horizontal land area within lot lines, excluding any wetlands.

2. Exceptions

No Building Permit or development approval may be issued for a lot that does not meet the minimum lot area requirements of this Ordinance except in the following cases:

- a.** Nonconforming lots may be used in accordance with the provisions set forth in Section 9.4 of this Ordinance.
- b.** Utilities using land or an unoccupied building covering less than 1,000 square feet of site area shall be exempt from minimum lot area standards.

3. Absence of Sewer or Water

In the absence of public water or public sewer, no Building Permit shall be issued until the lot meets all applicable requirements of this Ordinance and the Texas Department of Health and Environmental Control.

C. Lot Width

Lot width is measured between side lot lines along a line that is parallel to the front lot line or its chord and located the minimum front setback distance from the front lot line.

D. Setbacks

Setbacks refer to the unobstructed, unoccupied open area between the furthestmost projection of a structure and the property line of the lot on which the structure is located, except as modified by the standards of this section.

1. Features Allowed Within Setbacks

The following features may be located within a required setback:

- a.** Trees, shrubbery or other landscape features.
- b.** Fences and walls, provided that in Residential and Commercial districts no fence, wall or hedge shall exceed:
 - (1)** 4 feet in height when located within any front or street side setback;
 - (2)** 6 feet in height when located in an interior side or rear setback of a residential or agricultural zoning district; or

(3) 8 feet in height when located in an interior side or rear setback of a nonresidential zoning district.

- c. Driveways may be located in front and street side setbacks.
- d. Sidewalks may be located within any required setback.
- e. Utility lines, wires and associated structures, such as power pole.
- f. Uncovered porches, uncovered steps to building entrances, uncovered patio decks and uncovered balconies may extend up to five feet into any required front, rear or street side setback.
- g. Openwork fire balconies and fire escapes may extend up to five feet into any required setback.
- h. Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to two feet into any required setback.
- i. Chimneys and flues may extend up to two feet into any required setback.
- j. Satellite dish antennas may be placed in required rear setbacks.

2. Contextual Setbacks

Notwithstanding the front setback requirements of the underlying zoning district, the front building line of any structure or addition to a structure may be as close to the street as the front building line of a structure located on any lot that is immediately adjacent to the subject lot. If the subject lot is located between two developed lots, the front building line of the structure that is set back further from the street shall apply to the subject lot.

3. Setback Reductions on Narrow Corner Lots

Where the front, interior side and rear setbacks of the underlying zoning district reduce the buildable width of a corner lot to less than 40 feet, the Administrator shall be authorized to reduce the required front setback on the longer street side as much as necessary to increase the buildable width to 40 feet. In the event the street sides of such lot are of equal length, the reduction shall be made on the side which lies on the shorter side of the block.

4. Front Setbacks on Cul-de-Sacs and Dead-End Streets

The Administrator shall be authorized to approve front setback reductions for lots that front on cul-de-sac or dead-end streets when the Administrator determines that such reduction is necessary to allow reasonable development on the subject lot. In no case shall this provision be used to approve front setbacks of less than 25 feet.

5. Front Setbacks on Narrow Streets

Where a lot abuts a dedicated street (that has been accepted for maintenance street) with a right-of-way width of less than 50 feet, the required front setback shall be measured from a line measured 25 feet from the center of such right-of-way.

6. Special Setbacks

Where setback lines have been established on any street by the County Council by approval of a subdivision plat or otherwise, such setback lines shall prevail over the front setbacks of the underlying zoning district.

7. Reduction for Public Purpose

When an existing setback is reduced because of conveyance to a Federal, State or Local government for a public purpose and the remaining setback is at least 50 percent of the required minimum setback for the district in which it is located, then that remaining setback will be deemed to satisfy the minimum setback standards of this Ordinance.

E. Building Coverage

Building coverage refers to the area of a lot covered by buildings (principal and accessory) or roofed areas, as measured along the outside wall at ground level, and including all projections, other than open porches, fire escapes, canopies and the first two feet of a roof overhang.

F. Height

1. Building Height

Building height refers to the vertical distance between the base flood elevation plus:

- a. The average height level between the eaves and ridge line of a gable, hip or gambrel roof;
- b. The highest point of a mansard roof; or
- c. The highest point of the coping of a flat roof.

2. Fences or Walls

In the case of fences or walls, height shall be measured from ground level on the higher side of the fence or wall.

3. Exceptions to Height Limits

Unless otherwise expressly stated, the height limitations of this Ordinance shall not apply to any of the following:

- a. Electrical power transmission lines;

- b.** Flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, radio/television receiving antennas or chimney flues; or
- c.** Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building if such structure does not occupy more than 33 percent of the area of the roof.